

Kichwa organizations in the Peruvian Amazon: Twelve challenges in their quest for land rights

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ABSTRACT

This thesis is an investigation of Amazonian Kichwa organizations from San Martín. I assess the challenges they are facing as they attempt to work together for the Peruvian government's recognition of their territorial rights. Kichwa organizations' efforts to secure their territorial rights constitute the bedrock of their efforts for constructing a common political platform in terms of their linguistic family as Kichwas. For Kichwas it is impossible to separate political rights from territorial rights. I explore the political dynamics of the Kichwa organizations known as *federations*, each of them politically representing several native communities. In having multiple federations lies the core of the challenges faced by this indigenous group: the more federations there are, the more the ethno-political engagement by the Kichwas but the more fragmented they become. Each one of these federations develops different strategies to deal with regional authorities, municipal mayors, non-governmental organizations, and national political parties.

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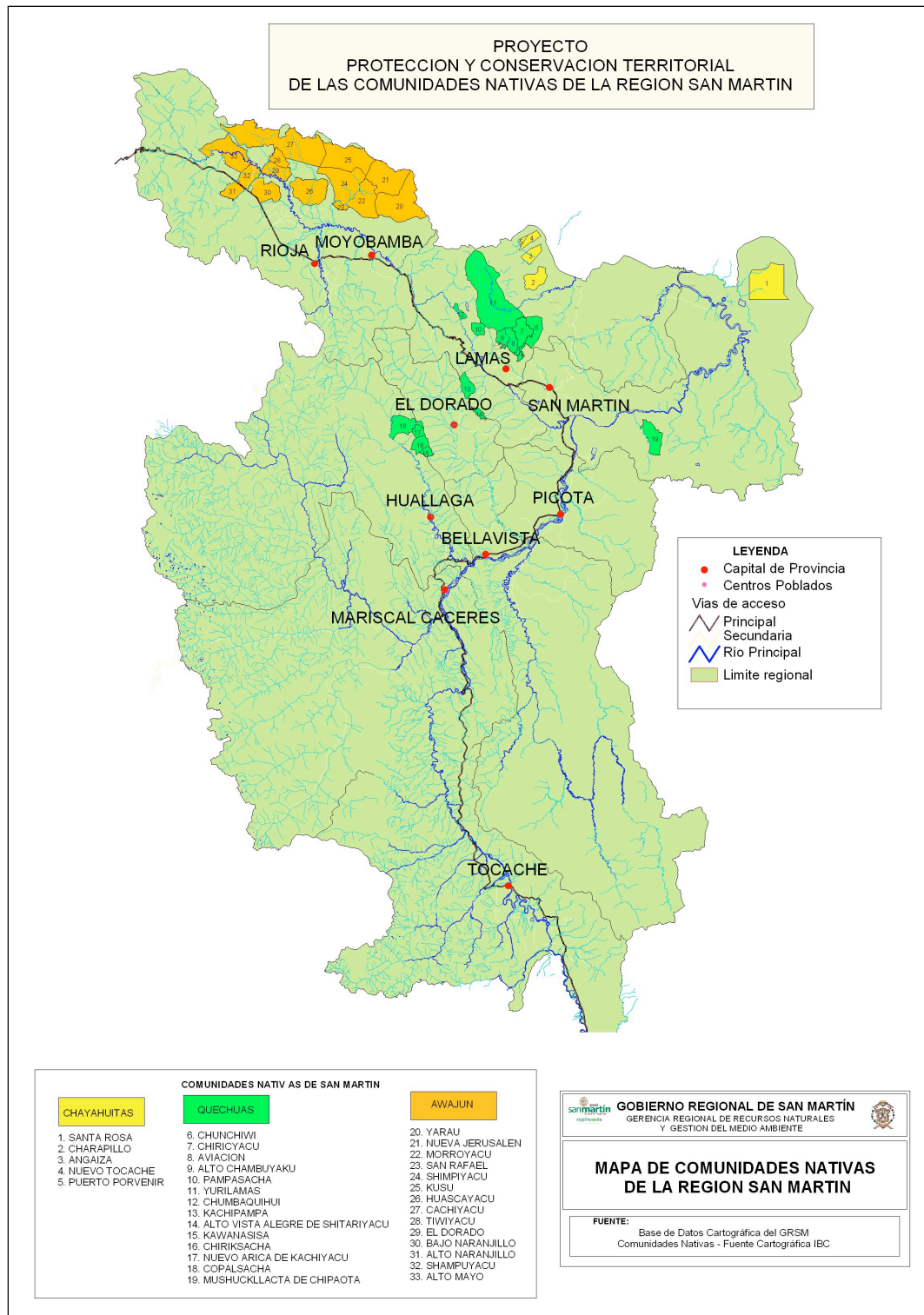
INTRODUCTION

The Amazon accounts for 60% of Peru (see map below), and according to the 2007 Peruvian Census, the Kichwa population is the third largest ethno-linguistic family of the thirteen that exist in the Peruvian Amazon.¹ In the four San Martín provinces of *Huallaga*, *El Dorado*, *San Martín*, and *Lamas* (see Annex #1) alone there are around 30,000 Kichwa peoples.² Ninety percent of the Kichwas there are peasants producing coffee, cocoa, beans, manioc and plantains in small plots called *chacras*. Their second most important economic activity is hunting (INEI 2011:122). Control of their territory not only structures the Kichwas' lifestyle but also defines their current struggles for political recognition.

¹ Instituto Nacional de Estadística e Informática - INEI. (2011). Censo 2007: Características sociodemográficas de

² The Kichwas would disagree with this number; they believe there are almost 50,000 Kichwas in San Martín.

Map of San Martín and Its Three Indigenous Territories



This thesis is an investigation of Upper Amazonian Kichwa organizations, or “federations,” of the San Martín region. I assess the challenges they are facing as they attempt to work together for the Peruvian government’s recognition of their territorial rights. Kichwa organizations’ efforts to secure their territorial rights constitute the bedrock of their efforts for constructing a common political platform in terms of their linguistic family as Kichwas. For Kichwas it is impossible to separate political rights from territorial rights. There are four Kichwa federations, representing 50 of the 260 Kichwa communities in San Martín (Calderón, 2003; see Annex #2).³ Of those 50, only 15 have gained legal recognition of their territories. In having multiple federations lies the core of the challenges faced by this indigenous group: the more federations, the more the ethno-political engagement by the Kichwas, but also the more fragmented they become (see Annex #3). Each of these federations develops different strategies to deal with regional authorities, municipal mayors, non-governmental organizations, and national political parties.

The first chapter introduces the main characters of this thesis and my methodology for understanding the challenges of the Kichwa organizations in their struggle for land. NGOs have been crucial partners of the Kichwa federations, and recently government representatives have created agencies for indigenous issues. Representatives from both were invaluable in guiding me through the labyrinth of Kichwa political organization. The second chapter is a summary of the literature about alliances between conservationist NGOs and Amazonian organizations. These alliances have shaped the Amazonians’ politics because until today thanks to these global links with NGOs and experiences, Amazonians have new opportunities for funding their activities in order to launch their own political agendas. In chapter three I show how in the history of Peru,

³ Although there is not an official record reporting the number of Kichwa communities, in my last visit the head of the Regional Office of Indigenous Affairs of San Martín told me this information (Interviewee #25, January 14, 2012).

Amazonians have been systematically neglected in order to promote large-scale extractive activities. Several changes in Peruvian law frame the Kichwas' quest for their land rights. Finally, in chapter four I explain twelve challenges that limit the political representation of the Kichwas, weaken their local organizations, and create internal fragmentation.

CHAPTER I: METHODOLOGY

Because I have Kichwa language training from the University of Kansas, I chose to focus my research on Kichwa organizations in the Amazon. The first time I went to Tarapoto city, the capital of San Martín region, was in June 2011. My initial plan was to stay for four weeks, but due to injuries I received walking in the jungle, I only stayed for one week. After two weeks of recovering in Lima I went back to Tarapoto and stayed for two more weeks. In January 2012 I returned for two weeks. This time I notably expanded the scope of my research conducting interviews and doing participant observation in the districts of *San Jose de Sisa*, *Lamas*, and *Chazuta*. The third and final trip in July 2012 proved to be the most productive because I was afforded admission to private meetings due to the relationships I had established in my previous visits. I conducted sixteen more interviews and focused on participant observation in several meetings and special gatherings to which I was invited. Overall, I conducted 46 in-depth interviews (see Annex #4) during June-July 2011, January 2012, and July-August 2012. Besides the names of my first contacts, the names of people interviewed during research have been omitted to protect their privacy.

Because Kichwas have just started their own process of organization, it was a propitious moment to conduct these interviews. Kichwa leaders and their constituencies are working hard to consolidate their organizations. Therefore, they were interested in someone like me who could be able to register their experiences. Probably if I would have arrived earlier, when they were not working together, they might not have been interested in sharing their experiences. In turn I

promised to translate this thesis in Spanish, so they can have a written account of the challenges that they are facing in their struggle for their territorial rights.

FIRST FIELDWORK, JUNE 2011

When I first arrived in Tarapoto in 2011, I only had a general idea of the importance of the Amazonian indigenous organizations. It was my first time working in the upper Amazon of Peru, and I already knew that in 2009 San Martín's indigenous organizations participated in a general Peruvian Amazonian indigenous protest against government refusal to consult them in decisions related to their territory.⁴ I designed an open-ended questionnaire that included questions such as: Why did the indigenous organizations from San Martín get involved in this national protest? How did they organize for the protest? Does the protest represent a turning point for the indigenous organizations in San Martín? If so, how?

The only contact I had was the director of an NGO called The Amazonian Center of Anthropology (CAAAP),⁵ but finding him absent, I was lucky that Lincoln Rojas, a retired schoolteacher, offered to help me. The oldest employee in CAAAP, Lincoln had a long experience working with indigenous organizations in San Martín. He was also patient. He explained that in San Martín there are three indigenous ethnicities, the *Kichwas*, the *Shawis*, and the *Awajun*, who speak different languages and live in separate territories.

Three main Kichwa federations – the Federation of Kichwa Indigenous Peoples from the San Martín region (FEPIKRESAM), the Ethnic Kichwa Council of the Amazon (CEPKA), and the Kichwa Huallaga and Dorado Federation (FEKHID) – represent several different indigenous

⁴ In Chapter 4 I will explain in detail the Bagua Protest (June 2009).

⁵ CAAAP: Centro Amazónico de Antropología y Aplicación Práctica.

communities (see Annex # 06). Each federation works with a particular NGO: FEPIKRESAM with CAAAP, CEPKA with Waman Wasi, and FEKHID with Urku. The work that each NGO does with its associated federation varies from providing legal advice to organizing workshops about leadership and farming practices. CAAAP has provided legal advice to indigenous organizations in San Martín since 1985; Waman Wasi (“house of the condor” in Kichwa) has over the last ten years supported Kichwa organizations in cultural affirmation with emphasis on territorial rights and ancestral practices; and Urku (“mountain” in Kichwa) promotes research in agriculture and environmental conservation among Kichwa organizations. The people in charge of these organizations are engineers with experience working in San Martín first as independent consultants and then designing projects for these NGOs. As I will show in chapter three and four, Kichwas in San Martín have not had attention from the government, therefore external support from NGOs have been the only ones interested in support projects focused on indigenous peoples.

Lincoln Rojas also introduced me to Robinson Shupingahua, a Kichwa leader with CAAAP who organizes workshops. I interviewed Mr. Shupingahua, and he invited me to go with him and William Guerra, a Kichwa leader, to an indigenous community called Yurilamas. He told me it was the first time in four years that the leaders of this community had invited CAAAP, and it was a good opportunity for me to see a real Kichwa community.

Our journey to Yurilamas started with an eight-hour walk through the mountainous jungle in the rain. It was grueling, and I doubted I could make it. When I finally did, the leaders were surprised to see me. Due to the remoteness – it is the farthest Kichwa community in San Martín–

visitors rarely arrive. I participated in the workshop, conducted two interviews, and spent a lot of time with the family of the *Apu* of Yurilamas, who hosted me for two days.⁶

Because of that experience I became “less strange” and perhaps more trustworthy to the indigenous leaders of this area. I was lucky because later I discovered Robinson and William are very important indigenous leaders from FEPIKRESAM. William is the Vice-President, and Robinson participated in the massive indigenous protest of 2009. Since that trip, William and Robinson have always helped me contact people for interviews.

Before returning to Lima, I attended a small protest by indigenous leaders from FEPIKRESAM in front of the Law Court of Tarapoto city. They were all waiting to see how the judge was going to rule regarding three people who lead the 2009 protest. Robinson was one of the accused. The protest was an opportunity to observe the level of organization they had, and also to interview the oldest leaders from FEPIKRESAM about their reactions to that protest and events surrounding it.

Two weeks later, I interviewed Kichwa leaders from the other two federations, CEPKA and FEKHID. I asked them about their experience as leaders, the challenges they had faced in the past with their organizations, the challenges they confront now, and what projects the organization has for the future. Daniel Vecco, the director of Urku, the NGO that supports FEKHID, invited me to a meeting in the Kichwa community of Kawana Sisa. Kawana Sisa is located in the district of San Jose de Sisa, a three-hour drive by motorcycle from Tarapoto. In Kawana Sisa I attended a *communal assembly*, a formal meeting where the entire community unites once every three months to discuss issues related to community’s organization. I witnessed how their community organization is not only important for political representation at the local and national level, but also for every communal endeavor, such as the construction of

⁶ The *Apu* is the title given by the community to the political and spiritual leader.

the road, encouraging families to speak in Kichwa with their children, and attending workshops organized by NGOs or government agencies. In San Jose de Sisa I conducted an interview with the President of the new federation, FEKHID, and with two other *apus* of the communities that are part of FEKHID.

William Guerra, the Vice-President of FEPIKRESAM, put me in contact with the president and other leaders of CEPKA in the small town of Lamas. Those leaders, in turn, put me in contact with the director of Waman Wasi, the NGO that supports them.

Finally, I visited the very large and significant district of Chazuta, which is a five hour-drive by car from Tarapoto. I went with Cesar, who does not work with indigenous organizations but is a friend who used to teach in a public school in Chazuta. In the communities of Tuluntulumba and Santa Rosa de Picota, I interviewed the *apus* who belonged to CEPKA and FEPIKRESAM, respectively.

SECOND FIELDWORK, JANUARY 2012

Six months later I returned to Tarapoto for two weeks. Having already collected the indigenous leaders' opinions, as well as those of their partner NGOs, I focused on the government's policies and actions concerning the indigenous peoples from the San Martín region to understand the challenges faced by the Amazonian Kichwa organizations in gaining official territorial recognition. To garner the perspective of the Peruvian central government in the region, I spoke with the Governor of San Jose de Sisa, the Lieutenant Governor of San Jose de Sisa, the Alderman of Lamas, the head of the Office of Indigenous Affairs of Lamas, and the head of the Regional Office of Indigenous Affairs of San Martín. It would have been impossible to contact them without the help of the NGO Urku, and Robinson, the Kichwa leader formerly

with CAAAP but who had just started working in the Office of Indigenous Affairs of Lamas. By talking to governmental representatives I discovered that a new federation, Kichwa Federation from Chazuta (FEPIKECHA), had formed, and this became a major topic of our conversations. We also discussed what the officials thought about the current Peruvian government, especially in regards to indigenous peoples.

THIRD FIELDWORK, JULY-AUGUST 2012

In July of 2012 I went back to Tarapoto for four weeks to investigate FEPIKECHA, the newest Kichwa federation, particularly, what motivated its members to splinter from previously established ones and form their own. I also elicited the perceptions of the leaders from the other federations about this new federation. For nearly two weeks I also visited the staff in the Regional Government in Moyobamba city, the second more important city in San Martín after Tarapoto. In Moyobamba the government representatives revealed an ongoing relationship between the regional government and some environmentalist NGOs, which prompted me to procure interviews with the directors of these as well. The environmental NGOs have been supporting the regional government's projects focused on environmental protection, and their leaders had much to say about the various indigenous organizations.

After Moyobamba, I went to Chazuta to investigate directly FEPIKECHA. Victor Cachique, the head of the governmental Regional Office of Indigenous Affairs of San Martín, ORDEPISAM, accompanied me.⁷ I had met Victor from my second visit, when he was discouraged about ORDEPISAM. Six months later, however, he was optimistic because his office received more funds to organize different activities such as workshops with the indigenous

⁷ Oficina Regional de Pueblos Indígenas de San Martín.

leaders from the different federations. Luckily for me, his next such workshop was in Chazuta with FEPIKECHA. In that workshop I met Aquilino Chuangama, the president of FEPIKECHA, who explained the federation's origin and the NGOs from which he was soliciting funding, including some of which I had never heard, including the Institute for the Development of Amazonian Peace (IDPA), and Peace and Hope.⁸ IDPA had recently been organizing meetings uniting the leaders of the four federations.

I devoted most of my remaining time in Tarapoto conducting interviews with the representatives of these NGOs. In addition, I also participated in a meeting where Kichwa leaders got together. The more time I spent among the various organizations, the more welcome I was at the meetings, and the leaders even made sure to invite me to all the meetings. I had the chance to listen NGO representatives, regional government representatives, and some *apus*.

⁸ Instituto para el Desarrollo de la Paz Amazónica (IDPA), and Paz y Esperanza.

CHAPTER II: LITERATURE REVIEW

The purpose of this chapter is to review the literature focused on the different ways Amazonian indigenous organizations have articulated their struggles. The implementation of neoliberal policies has led the government to hinder the struggle of indigenous groups for the recognition of their land rights. After reviewing how neoliberal policies have shaped the Amazonians' visibility at the local and international level, I assess the ways that Amazonian organizations are attempting to establish local political platforms in order to protect their natural resources. To this end, international conservationist organizations and Amazonian organizations have formed a transnational alliance so that Amazonians' can be heard globally. However, as we will see in this chapter, wedding the Amazonians' political discourses with that of environmental conservation is problematic. Literature suggests that some indigenous groups have surrendered control over their own agendas to have a fruitful relationship with global conservationists.

NEOLIBERALISM, LAND RIGHTS & DOUBLE DISCOURSES

Neoliberalism proposes the reorganization of society around market principles. According to this doctrine, nearly all the resources of a nation should be managed and owned individually or privately (Harvey 2005). This political doctrine dresses itself as a development program (McMichael 2008 and 2010). According to the promoters of neoliberalism, the absolute privatization of a nation's resources is the most efficient way to generate social welfare.

Neoliberal policies have often undermined indigenous movements' struggle for territorial and cultural rights. Under these policies, states have persistently marginalized minorities, who

have been portrayed as an impediment to foreign direct investments or to national private capital. Neoliberal policies coupled with paternalistic views of indigenous peoples have resulted in turning “indigenous people into culturally homogenized citizens of the nation, based in assumptions about their backwardness and incapacity to survive modernity’s onslaught” (Conklin 2006:162). The literature also considers how indigenous peoples have shaped their responses to unfavorable economic conditions by creating a political platform. It is precisely in this climate that indigenous movements have obtained legitimacy to operate in a process of “creative and constructive alignments” (Sawyer 2004). One example of these alignments can be observed in the alliances between indigenous movements and international NGOs. In this socio-economic context, indigenous peoples’ responses to neoliberal attacks depend on the different ways the state has promoted neoliberal practices such as the leasing of the Amazonian territory to private companies (Speed 2005).

The analysis of neoliberalism in Latin America requires us to consider the limited recognition of cultural rights. Today in Latin America neoliberal governance implies launching the principle of intercultural equality or multiculturalism as a new strategy of governance. This emphasis on intercultural equality “brings forth a new direction in social policy, emphasizing the development of civil society and social capital, and an approach to cultural rights that at first glance appears highly counterintuitive” (Hale 2005:12). This political strategy can be found in the state’s efforts of recognizing – to a certain degree – indigenous’ collective rights. To this end, some governments have merged neoliberal principles with concepts of multiculturalism and human rights (Speed 2005). The state’s deployment of multiple discourses of privatization on the one hand, and indigenous group rights on the other, is contradictory. According to the literature, it is more likely for a neoliberal government to promote “cultural” rights without granting

“territorial” rights to indigenous groups. Consequently, multiculturalism serves to limit indigenous’ resistance by creating the illusion that they have already achieved their goals. These neoliberal discourses make it appear as if states are receptive to indigenous territorial and political demands, whereas in practice states never intended to respect such demands. As I will show in chapter three and four, one example of the measures taken by the state on behalf of indigenous peoples has been the opening of offices for indigenous affairs in the regional governments.

The state’s two-faced neoliberal policies towards indigenous peoples have thus resulted in both a political opening and a threat of co-optation. On one hand, these policies have allowed indigenous peoples to access governmental offices to channel their demands. On the other hand, as long as “the state as political form constitutes the greater part of the institutionality constructed by dominant sectors to protect their own interests,” indigenous capability to take advantage of governmental offices will be limited (Almeida 2005:94). Discourses of inclusion such as multiculturalism have been manipulated by the state in order to maintain, validate, but ultimately obfuscate its true neoliberal policies. If the state keeps preventing indigenous groups from decision-making regarding the distribution of economic resources and political rights, these discourses would continue to be just public displays without addressing the real issues of indigenous groups (Almeida 2005).

The state’s multicultural discourses are thus duplicitous, and its policies confront indigenous people with a dilemma. If they choose not to participate in the limited opportunities offered by the state then they are stigmatized as problematic or radicals. If they do participate, they are subject to manipulation, co-option, and false promises.⁹

⁹ As Bagua protest has shown, this dilemma does not exclude direct actions like road blockages or marches of protest when necessary.

NGOs AND INDIGENOUS PEOPLES

Understanding the possibilities of indigenous organizations for advancing their political agendas requires a close look at the relationship between international conservationist NGOs and indigenous peoples. Many scholars have discussed the necessity of linking indigenous movements with their peers and allies at the global level. “The internationalization of Indian rights occurred precisely because indigenous social movements were weak domestically; some of their domestic weaknesses actually facilitated transnational alliance building and effectiveness” (Brysk 1996:39). We cannot understand indigenous groups’ connections at the global level without considering how these groups cope with different domestic opportunities and threats. And vice versa, the analysis of domestic opportunities allows us to understand how global alliances are constructed.

According to the literature, to protect their natural resources, local indigenous groups needed to gain conservationist international organizations’ attention. These indigenous groups, instead of thinking that eventually the national government will consider their demands, found a better reception among international conservationist organizations interested in hearing their experiences. Therefore, as the logical step in their national social activism campaigns to thwart invasions to their lands –particularly in the Amazon– movements have leap-frogged aggressive or unresponsive states with an international approach of allying with global environmental organizations (Hall et al. 2011; Martínez-Alier 2005; Peña 1998; Sawyer 2004; Rootes 2007). These alliances are “characterized by an enormous enthusiasm and a sense of empowerment, along with a good deal of romanticism and sometimes simplistic assumptions that native control of territory and resources would guarantee environmental preservation” (Conklin 2006:168).

This literature suggests that these alliances have been important during the early stages of the organization of Amazonian groups.

The connections between local indigenous organizations and international environmentalist organizations serve the politics of both groups. Conklin and Graham (1995), Keck (1995), and Pieck (2006) have argued that the accomplishments reached by indigenous organizations have been a consequence of their connections with international social actors. Today it would not be possible to understand the international dimension of indigenous politics without tracing the relationship back thirty years ago (Pieck 2006). The motto “think locally, act globally” mobilized transnational resources and conservationist ideas to support indigenous groups (Conklin 2006). This trend has triggered a huge change in the way that indigenous groups were used to operating. The marginalization caused by their cultural and ethnic values and national exclusion was partially overcome, and being backwards “Indians” was finally reversed as positive “indigenous,” at least for some people. Consequently, indigenous groups had attention long-awaited opportunity to make their demands heard in the global arena.

Latin American countries’ democratization processes also played an important role in enabling indigenous organizations to claim ethnically-based rights. At the end of the 1980s, when the Cold War and many of Latin American civil wars were winding down, Latin American countries underwent fundamental political, economic and cultural changes. Most Latin American countries’ presidents were more amenable to human rights and the opening of civil society rather than rule by repression. Thanks to this democratic window, indigenous leaders faced less repression by the governments and gained more presence in the political realm (Pieck 2006). In this global scenario, which also coincided with much sympathetic attention to indigenous issues in the run-up to the Columbian Quincentenary, transnational links seem to have had a crucial role

“connecting indigenous causes with a much larger, well funded networks of international environmental NGOs and set indigenous claims apart from the claims of other impoverished people and ethnic groups with their own histories of oppression and suffering” (Conklin 2006:163). However, at a national level, in the Amazon especially, knowledge about indigenous peoples and threats to their territories were still clouded by distance and inaccessibility. Still today there are many misconceptions about Amazonian “Indians.” According to institutions such as the World Bank, and some northern environmental NGOs, the “Indians” are the ones who need guidance to protect the environment (Escobar 1998). As a result, the open political climate at the global level has often disempowered Amazonians in their struggles with states.

Although transnational alliances meant new opportunities for indigenous groups because they gained access to the media, funding, and “green” discourses to articulate their demands, it also helped international environmentalist organizations. Because of indigenous peoples’ legitimacy and attraction of public sympathy, environmental organizations cashed in on the alliances. Previously, as Peña (1998), Conklin and Graham (1995), and Martínez-Alier (1995) describe, international environmentalists restricted their conservation projects to protecting endangered species, and they often blamed the poor for damaging ecosystems. Thereafter, the assumption that indigenous peoples were or could be potential environmental stewards became *de rigueur*.

For indigenous groups, having international allies has both enhanced and complicated their pursuit of political goals. Tsutsui (2004), Pulido (1998), and Conklin and Graham (1995) examine these global linkages in two different ways. On one hand Tsutsui’s primary purpose is to point out how the expansion of human rights has enabled indigenous movements. Thanks to NGOs, local movements have been able to claim human rights on the global stage. Thus,

transnational alliances have the potential to empower indigenous groups, placing the governments under international scrutiny, and connecting minorities with similar groups all around the world. On the other hand, Conklin and Graham (1995) consider international NGOs as self-interested actors for their own ideological and political causes. To these authors, this transnational alliance has allowed environmentalists to gain more funding for their own causes regarding the protection of flora and fauna. Consequently, the existence of these transnational alliances has enabled Amazonian indigenous groups to bypass the state by gaining international visibility and support; however, these alliances have often resulted in international conservationist organizations using indigenous people for their own purposes.

ESSENTIALISM

The adoption of “transnational indigeneity discourses” (Ghosh 2006) can result in indigenous groups displaying an “essentialist” version of their “Indian-ness” as a strategy to gain ecological legitimacy (Peña 1998; Cepek 2008; Reed 2003; Lauer 2005). In other words, indigenous people can take advantage of the timeless, Garden-of-Eden “magic” or “mystique” of their cultural identities to be recognized as natural environmental stewards: “lacking material or organizational resources, South American Indians were able to develop and project this [indigenous] identity internationally through a politics of information” (Brysk 1996:48).

Essentialism, as a strategy, involves risks. Environmental discourses based on an essentialist perspective of Indians as the main protectors of the Amazon downplay indigenous groups’ priorities and homogenize their diversity. Indigenous groups’ particularities in regard to biophysical location, gender, and ethnicity have often gone unrecognized, deleteriously affecting project results (Peña 1998; Ghosh 2006; Conklin 2006). Stereotyping of the “Ecological Indian”

also “denies or obfuscates the whole problem of social or historical agency, obscuring dominant power dynamics such as the struggles between rich and poor, landowners and tenants, thus reifying cultural differences” (Peña 1998:122). Such reification can occur both in the performance to outsiders and internally as embodied identity.

Externally, outsiders such as governmental and non-governmental offices still have a hard time understanding indigenous groups who cannot meet this essentialist image. Today, one of the main challenges for indigenous groups and their leaders is to prove how “authentic” they are to get the attention and support from outsiders: “Native groups that did not fit the caricature of the noble savage found no place” (Reed 2003:113). To that end, indigenous peoples have gotten used to “‘borrowed’ forms of bodily adornment and even languages from other publicly recognized indigenous groups to authenticate their claims” (Graham 2005:625). For example, Peruvian national and local government have failed to recognize the existence of indigenous groups mainly because they are expecting to find an indigenous cultural display that may not be related to their cultural identity. Hence, in Peru, to become an indigenous community legally recognized by the state, indigenous peoples have to prove their level of indigeneity to government officials, who sometimes choose to accept this evidence, and sometimes do not (Killick 2008). Therefore, the essentialist perspective has served as a framework that further marginalizes the majority of indigenous groups that choose to be recognized as they are and refuse to disguise themselves as “authentic” or “wild” “Indians.”

Internally, indigenous peoples have also questioned how “authentic” they should be, creating a crisis of representation among themselves. Transnational alliances have shaped indigenous peoples in so many ways, that it is more common for indigenous leaders to perform as “authentic” Indians, even among their peers: “today young Kichwa leaders wear crowns made

of feathers (imitating leaders from other ethnicities) that nobody has used before, the bigger the crown the more important they feel” (Interviewee #24, July 13, 2011). Young indigenous leaders believe that effective political representation relies on a proper performance of their indigeneity that would also bring the attention of external funding (Lucero 2006). Choosing an indigenous leader is becoming harder and harder because indigenous peoples need “to designate [people] who are both representative of the group’s values and effective in the wider political arena” (Brysk 1996:51). The more prepared the leader is to represent an indigenous organization nationally and internationally, the less he is to connect internally with his domestic constituencies (Brysk 1996; Lucero 2006; Ghosh 2006; Graham 2005). As a result, young leaders who no longer engage with indigenous peoples’ struggles for territory feel more motivated to reinvent a public image of themselves as “Indians” to gain national and international attention. At the same time, while adopting Western images, they also adopt Western cultural habits, languages, and tastes.

In summary, the adoption of global environmental language initially functioned to empower in the international arena, but has led to other problems (Reed 2003; Hristov 2005; Ghosh 2006). Wide spread attention to indigenous groups’ authenticity has served to divert attention from territorial struggles. This indigenous essentialist strategy obscures and dilutes more urgent territorial and political threats.

ALTERNATIVES

The essentialist strategy has created the illusion that indigenous peoples’ ideals are the same ones pursued by Northern NGOs. Everybody is, supposedly, sharing the same conservationist principles formulated around the constructed model that Indians will never go

against “nature,” and therefore their perspectives are “just like the environmentally concerned outsiders” (Conklin and Graham 1995:695). Nevertheless, we should remember that essentialism is just one possible strategy. It can be taken or rejected in favor of other kinds of strategies. On the one hand, by presenting themselves as legitimate guarantors of nature, indigenous groups can obtain moral legitimacy to defend their natural resources (Arambiza 2006). On the other hand, indigenous peoples have the ability to establish ties with Northern NGOs without tailoring their discourses to global trends.

I want to argue in this section that not all indigenous groups are tailoring their discourses and practices to global ideals. Conklin and Graham (1995) present the example of the Kayapó Native Amazonians, who have chosen to engage in activities that are opposed to environmental principles, such as allowing oil and timber exploitation. In order to avoid these possible contradictions, Northern NGOs have pressured indigenous peoples to maintain their “green” image of themselves. Indigenous peoples have not been immune to such pressure because of the critical importance of NGO support in their struggles with states (Conklin and Graham 1995). The use of the transnational indigeneity discourse has worked only at a certain point when indigenous groups started to launch their own political platforms. Today, essentialist representations have been criticized by other leaders seeking for a more honest representation of themselves.

Conservationist groups have also faced the problem that some indigenous groups want to assert their own ideas of development, which sometimes are not consistent with the idealized conservation of their territory. Therefore, “environmentalists can no longer rely” exclusively on indigenous peoples’ environmentalist sentiments “to carry their agendas forward” (Pieck 2006:323). Alternatives for indigenous organizations lie in their ability to determine their own

identity based on their own traditions, despite the outsiders' basic assumptions about Indians. To that end, as I will explain in chapter three, indigenous leaders are seeking to be politically united first. The indigenous' process of self-definition would have to embrace their knowledge and concerns about the environment without taking an essentialist position. Indigenous peoples do have ecological concerns that are "place-based sensitive to specific locales and the biological interrelations of plants, animals, air, water, and life-sustaining processes" (Conklin 2006:165). However, this awareness of local conditions does not necessarily suppose a breakup with global connections. On the contrary this can fit certain agendas of global NGOs (Reed 2003; Lauer 2005).

Today, indigenous peoples have more political experience and broader connections with international non-governmental organizations (Peña 1998; Vadjunec et al. 2011). Even though we cannot expect these alliances to be always successful, we can see these transnational linkages as opportunities for indigenous leaders to develop their political skills. The alliance with NGOs is just one possibility. Amazonian communities have found other pathways to territorial protection and development (Macdonald 2010). Indigenous organizations are not just limited to the defense of their territories or their lifestyle. They are also claiming to be recognized as part of civil society today using transnational alliances or direct actions like road blockages (Sawyer 2004). Finally, according to this literature review, Amazonian indigenous groups can demand to be considered equals inside their own countries with or without the help of international partners, and with or without essentialist strategies.

To sum up, theoretical debates around indigenous organization have shown the different ways in which these Amazonians have launched their political representation. The literature illustrates how the relationship that Amazonians have with the state and NGOs has shaped their

struggle to protect their territory. On one side, lately neoliberal governance has included the recognition of intercultural equality and multiculturalism; however, indigenous peoples' participation in political and economic decisions is limited. On the other side, alliances with NGOs have led to different strategies taken by indigenous groups seeking for their self-recognition, and land enhanced their visibility and attracted sorely needed funds, but compromised their sovereignty and very identities. Today, thanks in part to both governmental and NGO interventions, Amazonians' quest to gain formal recognition of their territories has resulted in the creation of their own political organizations. In the next chapter, using the Amazonian Kichwas as an example, I will discuss how these political organizations have been unable to overcome the Peruvian state's inconsistency in recognizing the rights of Amazonian peoples. Despite the efforts of their leaders, Kichwa organizations have many challenges to working in a unified way.

CHAPTER III: POLITICAL BACKGROUND

This chapter reviews the ways in which different governments have systematically violated indigenous rights in Peru despite multicultural discourse. The Bagua protest, in which indigenous activists were killed by Peruvian police while protesting against a set of neoliberal legal amendments proposed by the former president of Peru Alan García [2006-2011], is only the latest example. This protest, which went far beyond environmental NGO-prescribed activities, succeeded in gaining the attention of the media and the civil society for promoting the recognition of their territories. The participation in the Bagua protest helps to understand the Kichwas' enthusiastic support of the candidacy of the current president Ollanta Humala [2011-2016]. An analysis of his Consultation Law shows that the Amazonian indigenous' condition of marginalization has not changed. This chapter aims to provide the political context for framing the challenges Kichwa communities are facing to obtain their land rights. The legal context described in this chapter allow us to understand how the Kichwa leaders are using federations as a strategy to deal with central government directives.

THE PERUVIAN STATE AND THE AMAZON

The historical relationship between the Peruvian state and the Amazonian indigenous people has been uneven and asymmetrical. It has been generally characterized by the state's disregard of indigenous groups and their rights to territory. The Peruvian government's position towards indigenous population contrasts with its attention to "non-Indians" in the Amazon. Thus, the struggle between the dominated indigenous population and the dominant "non-Indian" or

mestizo elites is ultimately rooted in a history of Spanish colonization (Chase Smith 1982), in which “modern” or “civilized” elites’ values have been imposed upon those of the indigenous minorities. The current difficulties the Kichwas face in obtaining land rights exemplifies the marginalization endured by the inhabitants of the Amazon.

The idea that the Amazon is an empty space waiting for the colonization from outsiders has been the main rationale of the Peruvian state’s decisions. Because in the Amazon, indigenous groups’ perception of their territory does not involve the idea of legal property per se, *mestizos* have assumed that the land was free for the taking. Moreover, it is assumed that the Indians did not know how to use the land effectively, and therefore the outsiders had the right to colonize that land (Hristov 2005). With the exception of General Juan Velasco’s government (explained below), the Peruvian state has considered the Amazon to be unexploited hinterland compared to more nationalized coastal region and the Andes (Santos-Granero 2002). Thus, recognition of indigenous people and their rights depends on a wholesale transformation of state policy.

Indigenous peoples have historically clashed with *mestizos* over land tenure. While the Amazon has largely been seen as impenetrable to colonizers, since the republican period of Peru the state has promoted the colonization of the Amazon by *mestizos*. “The Amazon was open to extractive and commercial economy” (Calderon 2003:33). Ideas about the existence of wild “Indians” in a wild territory justified the state’s invitation to *mestizos* to make a profitable use of the Amazon. During the nineteenth century Amazonians were confronted by colonizers, from the Pacific coast and the Andes, looking for “vacant lands” where they could settle in new farm lands and extract rubber or timber (Calderon 2003). Ever since, the confrontation between Amazonians and incoming *mestizos* has increased the pressure to formalize indigenous land tenure.

Various laws have been enacted promoting the colonization of the Amazon. At the beginning of the twentieth century the first law that addressed indigenous peoples' territories was the Law of the Wilds.¹⁰ That law, enacted in 1909, attempted to distribute the Amazonian territory through a leasing system for the exploitation of natural resources and ignored the existence and the rights of the indigenous population.¹¹ Due to the lack of laws for Amazonian indigenous people, Amazonians had to follow a law that promoted agricultural activities for Andean indigenous communities (Roldan and Tamayo 1999). The assumption that someday Amazonian communities will become sedentary monoculture producers following the “occidental” model of farming was based on the assumption that Amazonian “Indians” had the same characteristics as Andean “Indians” (Greene 2009).

VELASCO

The enactment of the Native Communities Law in 1974 during the military government of Juan Velasco Alvarado [1968-1975] finally recognized Amazonians' right to territory. The Native Communities Law recognized the existence of Amazonian indigenous communities by granting them the capacity to exercise their rights and obligations (Roldan and Tamayo 1999). Thanks to this law, indigenous territory became *inalienable*, *indefeasible*, and *imprescriptible*.¹² This law gave indigenous leaders the authority and autonomy to solve small claims within the

¹⁰ Ley # 1220, de Tierras de Montaña.

¹¹ An example of this logic can be seen in the book written by Fernando Belaúnde in 1959 called *The Conquest of Peru by the Peruvians*, in which Belaúnde describes how indigenous people are obstacles to development.

¹² In a Conference in Moyobamba (08-04-2012) Roger Rumrill and Stefano Varese remembered those characteristics as the three “I”s: Inalienable, Indefeasible, and Imprescriptible.

community, and exonerated their territory from taxation. More than 60 indigenous groups from the Amazon started the process of filing for territorial recognition.¹³

With the creation of the Law of Native Communities, an office called SINAMOS constructed several channels of communication and agreements with the Amazonian indigenous peoples.¹⁴ One of the goals of this office was to amend crucial failures of the Peruvian state in the Amazon (Greene 2009). According to Greene (2009), before the law Amazonian people were considered just “savage Indians” or “chunchos.”¹⁵ After the law, the term “native community” was applied to Amazonian groups of the same ethnicity with a common territory, instead of the anthropological word “tribe.” For the Kichwa leaders, the Law of Native Communities is still today a key historical and legal referent for demanding their rights.

The favorable climate for Amazonian indigenous peoples during Velasco’s government also resulted in the spontaneous creation of civil organizations interested in a pan-Amazonian political project. To that end, intellectual activists that had previous experience working in different parts of the Amazon with different ethnic groups united to launch a communication network to advocate for the Amazon with the help of international NGOs. Amazonian leaders that participated in these meetings questioned the role of the state, but also questioned the role of these enthusiast activists that made the meetings possible in the first place (Greene 2009). In this favorable political climate, a group of anthropologists founded the Center of Amazonian Research and Promotion (CIPA), a nonprofit organization, and a group of Amazonian leaders founded the Interethnic Association for the Development of the Peruvian Rainforest (AIDESEP). The work of both organizations called the attention of international NGOs that enabled the

¹³ The economic and social reforms of Velasco’s government allowed also the promotion of bilingual education in Perú. For the first time the people who spoke other languages than Spanish were included in the education policies.

¹⁴ SINAMOS from the two Spanish words: “sin amos,” which means “without masters.”

¹⁵ “Chuncho” is a Kichwa word for savage Indian.

international exposure of indigenous issues. Although it has been impossible for AIDESEP to maintain financial independence from NGOs, until today it is the most well established indigenous organization in Peru. Hence, since the eighties AIDESEP has obtained a national and international recognition because it has succeeded in establishing alliances between local Amazonian indigenous organizations, such as the Kichwas, with international conservationist organizations.

AMENDMENTS

The amendments of the Law of Native Communities in the following governments have reversed the legal protections of Amazonian groups.¹⁶ President Morales Bermudez [1975-1980] revoked several of Velasco's revolutionary policies¹⁷ before they could even be tailored to individual Amazonian groups.¹⁸ The 1978 amendments to the Law of Native Communities, known as legislative decree 22175 or the New Law of Native Communities, were designed to block Velasco's efforts to integrate Amazonian peoples. The New Law made substantial changes particularly in regards to the land tenure system. According to these amendments, the lands occupied by indigenous peoples were simply being "used" by them, not legally "owned," thus enabling private companies and settlers to access large spaces of the Amazon for extractive and agricultural activities (Roldan and Tamayo 1999; Greene 2009). Although indigenous organizations strongly protested these changes, the amendments still exist until today, reaffirming old prejudices towards the Amazon.

¹⁶ The Law of Native Communities has been modified so many times that now there is nothing left. (Personal communication with Roger Rumrill, August 03, 2012).

¹⁷ One example of Morales Bermudez rejection against Velasco's policies was the political persecution to the people who had worked for Velasco's government.

¹⁸ Personal communication with Stefano Varese, August 02, 2012.

The following government's denial to consider Amazonians as legitimate owners of their ancestral territories ushered in the old extractivist agenda. According to this political project, Peruvian development solely depends on the extraction of raw materials such as oil, lumber, or minerals. Due to the richness of the Amazon, subsequent governments wanted to control this vast territory without consulting indigenous peoples. Either through the enactment of laws, or by sending the army and facilitating *mestizo* colonization, subsequent Peruvian presidents treated the Amazon as an empty lot of rich natural resources (Abad 2006).

TERROR IN THE AMAZON

The armed actions of Shining Path during the governments of Belaúnde [1980-1985] and García [1985-1990] demonstrated the vulnerability of the Amazonian region. Shining Path started its operations in the Andean highlands where it effectively swept away state control by killing or forcing government actors such as governors, mayors, and judges to flee (Crabtree 2005).¹⁹ Shining Path then used the difficult geography of the Amazon as a strategic place to set up their activities. According to Santos-Granero, Shining Path's discourse proposing a radical political change attracted some segments of one of the largest Amazonian ethnicities – the Ashaninkas (Santos-Granero 2002). To Santos-Granero, Shining Path represented an alternative discourse, and at the beginning some Ashaninkas assisted Shining Path in navigating the forest. However, it needs to be noted that Shining Path forced enlistment of boys and murdered several Ashaninka leaders opposing Shining Path's tactics, ultimately leading to a bloody confrontation. In 1990 more than 9000 Ashaninka people up rose against the Shining Path, pushing this armed

¹⁹ It is very difficult to set a specific period of the Shining Path actions. The first public attack was in the Andean peasant community of Ayacucho in 1980. After more than ten years of actions, in 1992 the police finally captured Shining Path's leader, Abimael Guzman, marking an abrupt decline of the movement.

group out of Ashaninka territory. However, most Amazonians fled their native lands as Shining Path moved in (Abad 2006). The presence of terrorist groups in the Amazon became a valid justification for the army to treat indigenous communities as enemies of the state.

The San Martín region also suffered the consequences of another armed group known as the Revolutionary Movement Túpac Amaru (MRTA). For Abad, the presence of MRTA generated a setback in the organization process of the Amazonian population there. According to Abad, for years boats had to pay a “revolutionary tax” for navigating the rivers, the most important ways of communication in the region, or MRTA would confiscate them (Abad 2006). Indigenous organizations’ leaders were not able to move from one place to another to attend meetings or address community issues. Using the argument that indigenous organizations had access to outside financial support, MRTA seized the leaders’ boats asking for gallons of fuel as a revolutionary tax. MRTA also attacked foreigners involved in development programs. NGO representatives and volunteers had to stop their activities. The risk of being kidnapped by the MRTA or targeted as an enemy of the army was high: “any foreigner was suspected of terrorism, but it was worse if the foreigners were working with indigenous communities in a development project” (Abad 2006:94). The period of terrorism isolated many more Amazonian communities, as Amazonian indigenous leaders suspended their organizational processes by trying to avoid accusations of being enemies of the army, helping terrorist groups, or benefiting from international cooperation.

To sum up, the events documented by Abad in San Martín illustrate what happened in other areas of the Amazon region during the armed conflict between Shining Path, MRTA, and the army: hundreds of local organizations suspended their activities. All these leaders were forced to reduce their activities and to adopt a low profile. These violent actions halted extractive

agenda promoted by the central government and presumably the colonization of the region by newcomers arriving from neighboring Andean areas.

FUJIMORI

Alberto Fujimori's government [1990-2001] marked the beginning of neoliberalism in Peru. To that end, Fujimori applied a set of laws to privatize land use for the promotion of large-scale extraction of natural resources like minerals, oil, and natural gas. Although the main goal of these policies was to gain state control over the Amazonian territory through the official titling process, the process allowed some Amazonian communities to have their territorial rights recognized by law. The governmental office in charge of granting land titles was *The Special Project of Land Titling* (PETT).²⁰ On the one hand, international Amazonian advocates who delivered a message promoting "Indians" as natural conservationists impacted this office greatly. On the other hand, the process of land titling served the promotion of private investment. Therefore, some of Amazonian communities gained territorial rights, even when PETT's actions responded to a neoliberal logic seeking to encourage private companies to lease Amazonian territory (Greene 2009). In the nineties, Kichwa organizations began a process of territorial titling without knowing that it was part of Fujimori's neoliberal agenda.

Although Fujimori's land-use policies resulted in the legalization of the collective rights of some indigenous' territories, PETT prioritized giving personal land titles rather than collective ones. In the long run this caused great damage to indigenous organizations because some members of the community got their own private property rights while others did not. According to the director of the Regional Agrarian Office in charge of the legalization process of

²⁰ PETT (Proyecto Especial de Titulación de Tierras).

indigenous communities, Kichwa communities with members that already have their own property rights cannot obtain communal rights or be legally recognized as a community anymore, because private rights cannot overlap with collective rights (Interviewee #42, August 02, 2012). Official representatives of Fujimori's government misled the population arguing that Kichwas needed first their own personal property rights. After that, according these official representatives, private owners could start a subsequent process for the recognition of communal rights. As a result of this misleading campaign, the current process of land and political recognition has been seriously affected. When some Kichwas gained access to their private or individual land titles, they never thought that in doing so they were giving the government an excuse to neglect their collective rights in the future.

Fujimori's neoliberal agenda also led to the creation of new laws and the amendment of the existing ones in order to have economic control over Amazonian territories. The new Constitution of 1993 dissolved some of the basic rights to indigenous territories, making them no longer indefeasible and inalienable (Roldan and Tamayo 1999). This change in the legislation led to another law that was enacted to promote private investment. If investment was deemed in the national interest, then the state would allow the leasing of indigenous peoples' territory.²¹ Ironically, the same year the Peruvian government signed the International Labor Organization (ILO) Convention N°169 on the protection of indigenous rights (Roldan and Tamayo 1999). In this international agreement the Peruvian government expressed publicly the commitment to recognize and protect indigenous ancestral land. Although in the international arena the Peruvian government seemed to genuinely care for indigenous peoples, internally Fujimori's constitution was directly opposed to the interests of the Amazonian people. As a result, Fujimori undermined

²¹ Ley # 26505 de Promoción de la Inversión en las Actividades Económicas en las tierras del territorio nacional y las comunidades campesinas y nativas [07-18-1995].

the indigenous territorial rights with the implementation of neoliberal policies that are still deleteriously affecting Amazonians.

After Fujimori, the governments of Alejandro Toledo [2001-2006] and Alan García [2006-2011] continued granting exploration and the leasing of concessions to international private companies. Although by 1999 the indigenous territories had been legally subdivided into 1,175 land titles for indigenous communities and 5 natural reserves (Finer and Orta-Martínez 2010), in total it represented just 13 percent of the Amazonian territory (Greene 2009). In 2003, 7.1 percent of the Peruvian Amazon was under private concessions. However, the political and economic clout of international oil companies has grown exponentially. In 2009 alone, 52 new oil concessions were registered. As a result, the 88 percent of concessions given by the government to private investors overlap with titled indigenous lands and with territorial reserves for indigenous people living in voluntary isolation (Finer and Orta-Martínez 2010). Now the conflict between indigenous peoples and private companies requires a strong organization able to protect what is left of the Amazonian territories. Today those indigenous organizations are looking for a political strategy that could protect them from the invasion of outsiders' economic interests.

The increasing entry of outsiders into the Amazon has motivated indigenous groups to seek official recognition for their lands. Rather than simply aiming at a greater control of their lands, Amazonians are also trying to reaffirm their identity as an indigenous group. Either because indigenous leaders have more information from NGOs about the benefits of having their lands titled, or because the harm caused by deforestation has become more apparent than ever, indigenous peoples have felt compelled to organize politically. Therefore, their political struggle based on land claims implies also the need to reinterpret what it means to be indigenous (Killick

2008). In a context where the Amazonians have been systematically neglected by several governments, for indigenous communities to gain land titles represents a huge success that reaffirms their identity and autonomy as a group. As a result, the organizational process for land titling also means the reconstruction and promotion of a communal identity. This communal identity has depended on several characteristics such as the ability to speak Kichwa and have bilingual schools, the recognition of the *apu* as the head of the community rather than the state's representatives, and the participation in *communal assemblies*.

GARCÍA

Alan García's government [1985-1990, 2006-2011] demonstrated how a neoliberal approach to the Amazon's natural resources implies the rejection of indigenous peoples' basic rights. In his second government García enacted a series of legislative decrees designed to please the agenda of the extractive industry. Between October and November of 2007, he published a series of three opinion articles in the most influential Peruvian newspaper –*El Comercio*– under the title “The Dog in the Manger Syndrome.”²² In these articles, Alan García expressed his view of the Amazon and presented his model of economic development, despising the peasant and indigenous communities in the Andes as well as in the Amazon region (Hughes 2010). According to García, indigenous communities were self-serving organizations and enemies of modernization. García's idea was that foreign companies were the only ones able to guarantee high levels of sustainability by using appropriate technology for the exploitation of the Amazon's natural resources. In García's view, the Amazonian territories were a potential source

²² In Perú, “the dog in the manger” is a common expression used to describe those who begrudge others from what they are not using or enjoying.

of wealth for all Peruvians and the indigenous were selfish, ignorant, and lazy, keeping the rest of Peruvians in poverty (Rénique 2009). These articles reaffirmed the historical point of view of the economic and political elites about the Amazonian people.

Between 2007 and 2008, García worked with the Peruvian Congress to modify the national laws and thus comply with a Free Trade Agreement (FTA) with the United States (Meléndez and Leon 2010). Some of his decrees lowered the legal requirements for the purchase and sale of indigenous lands in the Andes and the Amazon region. For example, these decrees decreased the number of votes needed in an indigenous community to sell their collective property. Other decrees gave legal power to the Peruvian State to recover uncultivated lands in the hands of indigenous communities and decrease the area of protected natural areas (Bebbington 2009). By the end of the 2008 the Amazon population led by AIDESEP were now prepared and experienced as an organization to counter the Peruvian government's assault. Their reaction was immediate, decrying that that these decrees served international investors in their exploitation of the Amazon. In August 2008, a number of Amazonian indigenous communities protested publicly claiming that the government decrees were promulgated without consulting indigenous communities (Bebbington 2009). According to the agreements between the Peruvian government and the ILO Convention 169, indigenous peoples have the right to consultation about developmental projects affecting their territories.

Because the Peruvian government failed to comply with this agreement, the Amazonian leaders along with the Peruvian Ombudsman Office requested the Constitutional Court to rescind the decrees as unconstitutional (Greene 2009b). The Amazonians knew that "the decrees eliminated the last legal resource available to indigenous peoples to protect their territorial integrity" (Rénique 2009:6). They then started a wave of protests lasting eleven days and

finishing when the Peruvian Congress repealed some of the decrees in question. However, AIDESEP maintained its original position in which all decrees threatening the lands of indigenous communities must be rescinded (Bebbington 2009). AIDESEP's response to García's decrees for the defense of their territories inspired a national process of organization among Amazonian indigenous leaders. Although different indigenous groups protested in their own way in their own regions, all cohesively followed the directives of AIDESEP's leader, Alberto Pizango. In San Martín, according to Kichwa leaders, all the ethnicities, the *Kichwas*, *Shawis*, and *Awajun*, blocked the most important highways in tandem with other indigenous groups from neighboring provinces (Interviewee #12, June 13, 2011). However, these protests did not thwart the government (Meléndez and Leon 2010). Therefore, in 2009 AIDESEP launched a new wave of protests in ten of the twenty-five regions of Peru.

During this new wave of protests, Amazon indigenous peoples occupied oil and gas pumping stations and hydroelectric plants, shutting down commercial navigation in the rivers and blocking the most important bridges and highways connecting the Amazon region with the rest of the country (Bebbington 2009). These actions met the objective of calling the attention of the highest levels of government. As a result, a new dialogue started between the president of the Council of Ministers and the leader of AIDESEP, Alberto Pizango. Although the indigenous leaders considered the dialogue as a good sign, the government representatives wanted to stop the protests without changing the decrees. For these government representatives, the indigenous had to understand that the development of the country depended on the Amazon's natural resources. The protest continued for several days.²³ Because the negotiations reached a dead end,

²³ Two major ethnic groups from the Amazon, the Wampis and the Awajun, took the Station No. 6 of the North Peruvian oil pipeline by force, located in the city of Bagua. This pipeline is the main source of petroleum in Perú. The Wampis and the Awajun promised not to harm the industrial installation or the police officials who were taken

the government announced a “state of emergency” in five most critical areas, affecting the geographical center of the indigenous mobilization (Rénique 2009). In this “state of emergency” the government suspended the most basic civil rights. In turn, the indigenous leader, Alberto Pizango, declared the communities’ right to insurgency. The government’s refusal to recognize the Amazonians’ right to protect their territory motivated other grassroots organizations to publicly support the Amazonians’ struggle.

The Ombudsman’s Office tried to mediate between the government and AIDSEP, and once more Pizango publicly pledged to seek a legal solution to the conflict. However, this new phase of dialogue ended after just two days when the Minister of Justice requested the arrest of Alberto Pizango for conspiracy and terrorism (Bebbington 2009). Pizango sought asylum in Nicaragua, and the ruling political party –APRA– took advantage by blocking congressional debate proposed to repeal the decrees. On the morning of June 5, 2009, a police squad tried to recover a major stretch of highway called the Devil’s Bend²⁴ in the city of Bagua. This highway links the Amazon with the Andes. The police opened fire from helicopters at 5:00 a.m. The indigenous people repelled the attack with spears and arrows (Rénique 2009). That morning, nine indigenous peoples and twelve police officers died at Devil’s Bend.²⁵ Thus, what started as a promising negotiation, in which the Amazonian communities were using their political representative to defend their territories through legal arguments for the first time in history, ended in the state’s violent repression.

as hostages. The indigenous people’s aim was to stop pumping activities in the Amazon without permission, not to destroy the station.

²⁴ *Curva del Diablo*.

²⁵ One hundred and sixty-nine indigenous and *mestizo* civilians and 31 police were injured. However, the official number of indigenous dead is unreliable. Indigenous communities insist that more died, and many witnesses claimed to have seen a “clean-up operation” (Greene, 2009). According to these witnesses, dozens of body-bags were taken away using helicopters and the cadavers were thrown into the rivers. These allegations have not been confirmed because the military and police restricted access to the area.

The events of the Devil's Bend attracted support from foreign human rights organizations. Even in Lima, the Bagua protest became a turning point for some sectors of the civil society who severely criticized the government's actions. Some leaders from the coastal areas and the Andes joined the Amazonian leaders in demanding the rescinding of the decrees. President García and his ministers publicly criminalized the Bagua protest, claiming that indigenous peoples were traitors to the nation because their aim was to gain the independence of the Amazon territories from Peru. The central government also accused the Amazonians of blockading the cities, preventing them from getting food, cutting off their electricity, and crippling fuel distribution (Rénique 2009:8). Furthermore, AIDSEP was depicted as an organization serving the interests of Evo Morales and Hugo Chavez (presidents of Bolivia and Venezuela, respectively). However, the government succumbed to national indignation and international pressure and all García's decrees were annulled.

The aftermath of the Bagua protest had varying impacts on Peruvians. Amazonian indigenous organizations, NGOs, and government representatives agreed that it is a landmark. For some, the Bagua protest demonstrated the strength of the Amazonian indigenous organizations, for others it represented the first thing they knew about the Amazonians' struggle over their territories (Bebbington 2009). Although García and the majority of the government representatives did not take responsibility for what happened in Bagua, some ministers resigned. According to my interviewees, the protest has been an inspiration to continue their struggle (Interviewee #28, January 11, 2012). Others think that people from the Andes and the coast respect them more, realizing how much they need the Amazon for their survival: "before the Bagua protest, people did not care about us, but after they spent almost one month without access of food because of the blockage, they started to think about the fruits that they like in their

breakfast, and all the things they get from the Amazon” (Interviewee #21, June 06, 2011). For NGO representatives, the protest opened new opportunities for funding more projects. Consequently, Bagua set the foundation for a more critical view of the government’s role.

HUMALA

The presidential campaign of 2010 proved that Peruvians wanted a change in the economic policy. Just one year after the Bagua protest, Peruvians had to choose between two candidates. One was the daughter of the former president Alberto Fujimori who until today is in jail for violating human rights while in office, and the other was Ollanta Humala, leader of the “Nationalist Party.”²⁶ At that time, Ollanta Humala openly rejected neoliberal policies that had damaged the country since the 90s. His campaign promised a more inclusive government and a halt to the indiscriminate exploitation of natural resources. Humala’s support grew rapidly in provinces where peasant and indigenous organizations had conflicts with extractive companies. According to Kichwa leaders, one of the promises that ensured the Amazonians’ support to Humala was the Consultation Law. He assured that, as president, he would focus on the country’s most vulnerable people.²⁷ Despite the rejection of the most influential newspapers and television channels, and after facing stiff competition, Humala won the elections. As a result, Amazonian indigenous groups were excited, expecting the new government to finally include them in the national agenda.

Humala’s first months as president (from August to November in 2011) represented a major change in Amazonians’ legal framework. In November of 2011, Humala signed two bills,

²⁶ Partido Nacionalista.

²⁷ CNN World. June 06, 2011. http://articles.cnn.com/2011-06-06/world/peru.runoff_1_ollanta-humala-keiko-fujimori-peruvian-presidential-election?_s=PM:WORLD

one for the enactment of the Consultation Law²⁸ and the other for the creation of the Ministry of Inclusion.²⁹ The Consultation Law signified for the Amazonians the legal framework that allowed people to have a say when it comes to decisions about certain investments, plans or projects that would affect their rights. As a sign of consideration to Amazonians, Humala went to the city of Bagua to make public the laws; thousands of indigenous peoples were waiting for him. The enactment of the laws confirmed indigenous peoples' expectations for the great change that Humala had promised. According to Kichwa leaders, they finally meant a change of mentality in Peruvian's ruling class. The law was in tune with all international obligations established in Convention N°169 of ILO and opened a new window of dialogue between the indigenous peoples and government representatives, which meant more political participation for the inhabitants of the Amazon.

Humala's creation of the Ministry of Social Inclusion also seemed to be a sign in favor of indigenous peoples and marginalized groups. The purpose of the Ministry was to lessen the gap between the rich and the poor. Historically, the high levels of economic gains generated by direct foreign investments had not trickled down to the lower sectors of the population. In the same vein as the creation of the Ministry, every governmental institution –including the Regional Government of San Martín and local municipalities– created internal offices to address issues related to indigenous peoples or minorities groups.

Nevertheless, the honeymoon between the president Humala and the Peruvians ended after four months.³⁰ As I will show later, most of these offices did not have the support or the political willingness needed to function effectively. The creation of these offices responded to a

²⁸ Ley # 29785. Ley del Derecho a la Consulta Previa a los Pueblos Indígenas u Originarios (November 14th, 2011).

²⁹ Ley # 29792. Ley del creación, organización y funciones del Ministerio de Desarrollo e Inclusión Social –MIDIS– (October 20th, 2011).

³⁰ *La Primera*, June 18, 2012. Ollanta Humala: ¿Cuándo cambió?

specific directive, but it was not carried out in a way that actually enhanced the participation for the most vulnerable sectors of Peruvian society. As for the Consultation Law, it passed without the agreement of indigenous leaders, peasant organizations, and other civil society representatives. Ironically, the Law did not properly consult those it intended to benefit. This Consultation Law, rather than creating spaces for indigenous peoples' participation, has the potential to limit their participation.³¹ Today indigenous groups are still fighting to change the terms of that law, because as it is, it undermines indigenous peoples' autonomy.³² For example, one article states that the result of consultation among the people is "not binding," which means that the state will take the final decision regarding the implementation of an investment project in indigenous jurisdictions. In addition, the state lacks procedures and human resources to implement a consultation process (Monge 2012:378).

According to Kichwa leaders, President Humala has forgotten all of his promises, and the ones that he kept are not rigorously enforced. The inclusion of the indigenous peoples in the national agenda is not yet a reality (Interviewee #21, June 06, 2011). Other than the first gestures of inclusion from the government, there has been no real change in the way that president Humala is leading the country. Rather, he continues to act like just another president of the Peruvians coastal elites.³³ At the same time, Humala's initial promises sparked political action in the Amazon, and today several indigenous organizations are trying to find a strategy to counter his "double discourse."³⁴ As we will see in the next chapter, Kichwas are facing complex challenges as a result. Many leaders feel proud to have jobs in governmental offices, but others feel tricked by the government's ineffective measures.

³¹ *El Comercio*, April 09, 2012. Aidesep insiste en modificación de Ley de Consulta Previa.

³² *El Comercio*, April 04, 2012. Indígenas cuestionan reglamento de la Ley de Consulta Previa.

³³ *El Comercio*, June 05, 2012. Humala cambió por la presión de grupos de poder, afirma congresista Verónica Mendoza.

³⁴ *La República*, March 13, 2013. Humala: Mi gobierno a veces vira a la izquierda y otras a la derecha.

CHAPTER IV: TWELVE CHALLENGES OF KICHWA ORGANIZATIONS

This chapter examines twelve fundamental challenges Kichwa organizations, known as *federations*, experience in their quest to gain formal recognition of their territories. I assess how the government's representatives, the NGOs, and the Kichwa federation leaders in San Martín play critical roles in the Kichwa struggle to defend their rights to land and resources. An analysis of the complex socio-political milieu in which the Kichwa organizations operate reveals why it has been so difficult for them to unify and coordinate their efforts in the common goal of achieving their territorial recognition. Although all the Kichwa leaders would like to create a common political platform, their organizations still have many obstacles to unification. Due to problems of leadership style, NGO influence, and lack of government will in granting the Kichwas' official recognition, the Kichwa organizations have not reached the consensus needed to tailor an effective strategy to gain political leverage. Until the Kichwa organizations can build strength through sustained unity, it will be very difficult to effectively defend their territorial rights. As I argue in this chapter, this desired political unity is still elusive but it is an open possibility. These federations united momentarily to great effect in 2009 supporting the Bagua protest, and in 2012 to defend a large common area known as "Cordillera Escalera."

Another important challenge that this chapter examines is the ambiguity of the government's actions towards Kichwa peoples. While the government is including Kichwa leaders in governmental positions, it is also leasing the Kichwa territories, dividing the Kichwa leadership, and making it harder for Kichwa leaders to unify. The presence of oil companies and illegal settlers continues to damage the environment. On top of that, the Kichwa organizations'

interest in maintaining political independence unique cultural values is in jeopardy because of the government's neoliberal policies that undermine the Kichwas' land rights. For the Kichwas their cultural inheritance is attached to the land. The legal protection of their territories means the protection of their cultural traits and vice versa. Today, the Kichwas are divided on what position to take with the government.

NATIVE COMMUNITIES, FEDERATIONS & NGOs

Land struggles in the Amazon cannot be understood without knowing why those sharing the same language, territory, and cultural traits are seeking official recognition as *native communities*. According to the Law N° 20653, a native community (*comunidad nativa*) is an Amazonian socio-economic unit marked by cultural and linguistic characteristics with a common territory (Roldan and Tamayo 2005; Greene 2009). If a settlement, or a group of inhabitants, gains legal recognition as a native community, all the territory occupied by them becomes one large geographical unit. With the recognition, all the members become “users” of their personal plots of land, and the community, as a legally recognized organization, becomes the “owner” of the land. In this way, native groups can consolidate their social and economic autonomy.

For the Kichwas of San Martin, to be legally recognized as native communities is the best way to guarantee the possession of their ancestral territories and block illegal settlers from the Andes looking for timber and extractive corporations looking for minerals and oil. Individual land titles of small farm plots or *chacras* do not provide much legal protection. The large geographical area inhabited by the Kichwas cannot be guaranteed by a patchy collection of separate tiny plots of land. Moreover, individual or disjointed legal recognition does not match

the cultural practices of the indigenous groups in this part of the Amazon. The history of the Kichwas in San Martín can be traced back to the end of the sixteenth century when the Jesuit missionaries first arrived in the area (Barclay 2001). For generations since, Kichwas have cultivated gardens, hunted, fished, and collected salt and medicinal plants as distinct socio-economic units throughout this region they considered their own. Gaining recognition as native communities Kichwas can preserve their traditional customs. Occupying the territory organized in large geographical and legal units, they can preserve the ecosystem that has been providing their means of subsistence. As a patchy collection of tiny owners they cannot protect their rivers, their mountains or their forests.

This is why during the last ten years Kichwa settlements have increasingly sought and in some cases received recognition as native communities. The latest information gathered at the Regional Government of San Martín reports the existence of 40 out of the 250 Kichwa settlements Kichwa native communities that have completed all the paperwork required to become official native communities (Interviewee #33, July 20, 2012). Today, Kichwa leaders are working so that more Kichwa communities gain formal recognition as native communities.

Their main strategy has been to cluster themselves into umbrella organizations called federations. The more communities a federation has, the more representative and powerful it becomes and the greater the possibilities to be successfully heard by central government representatives, municipal authorities, nongovernmental organizations, and political parties. However, the process has been anything but smooth. For example, in the last three years CEPKA, one federation, has assisted 20 Kichwa communities in obtaining formal recognition as native communities, but without title to their land because the government had already leased it to outsiders. Another problem is that the more federations there are, the more fragmented they

become. More complicated still, each federation develops different strategies to deal with municipal mayors, non-governmental organizations, and national political parties, and as soon one federation loses legitimacy in front of their members, some leaders split and create a new federation offering different solutions and better representation. As such, the tendency is towards more federations, not consolidation. In this chapter I will go in depth about twelve challenges that the four Kichwa federations working in San Martin (FEPIKRESAM, CEPKA, FEKHID, and FEPIKECHA) are facing in order to gain territorial rights.

The reviewed literature assumes that NGOs and indigenous organizations focus their activities exclusively in environmental affairs. Nevertheless, this assumption does not always fit the reality of the organizations working in the Amazon. The NGOs most involved with the political process of Kichwa federations in San Martin are six: CAAAP, Waman Wasi, Urku, the Institute for the Development of Amazonian Peace (IDPA), Peace and Hope, and International Conservation (CI). By interviewing representatives of these six NGOs, I found out that these organizations do not only focus on environmental affairs. These NGOs have a very heterogeneous agenda including topics related with legal advice, human rights advocacy, protection of biodiversity, bilingual education, and agricultural development. Conservationist practices are part of these NGOs' agendas. It would be an oversimplification to assume that these NGOs just focus on conservation issues.

CHALLENGE #01: GAINING THE STATUS OF NATIVE COMMUNITY

Although Kichwa leaders promote the legalization of native communities, the discrimination that indigenous peoples have suffered from the state and the *mestizo* population has discouraged the Kichwas from embracing an indigenous identity. Among the Kichwas, “the

increase of the *mestizo* population has caused some Kichwas to no longer want to dress as a Kichwa, speak Kichwa, or have their children attend bilingual schools. Instead, the Kichwas preferred to sell their land and migrate to central cities” (Calderon 2003:47). An ex-leader of CEPKA explained: “Some say that they are not natives anymore, that they no longer speak Kichwa, and that to be called a native community is a throwback” (Interviewee #10, July 12, 2011). Indigenous leaders have been trying to overcome the *mestizos*’ prejudices by encouraging the Kichwa communities to value their identity, explaining that as a native community they can obtain their territorial rights. As a result, an increasing number of Kichwas are beginning to participate in the process of organization for native community status.

Weakened amendments to the Law of Native Communities have also disheartened Kichwas from pursuing native community status. Fifteen years ago, native communities in San Martín had access to certain benefits beyond the formal recognition of communal territory, such as job opportunities and scholarships. Today, all Kichwa leaders agree that those benefits are less accessible and thus have dampened motivations for applying for native community status. Consequently, the federations still do not representing the majority of the Kichwa people and are doubted by many Kichwa *apus* themselves.

Part of the reticence to pursue official native community status is the exhaustive and expensive application process. Kichwa communities need a lot of resources to become a native community. For a Kichwa community to start the process of official recognition, at least 300 US dollars are needed to pay lawyers to fill out and submit the paperwork for application. Moreover, the Kichwas need to submit a document in which all members of the community have signed their agreement, and they need to draw a map of their territory. All of this is intimidating and discouraging.

Kichwa communities do not have maps to demonstrate the extension of their territories. Although the main goal of the Kichwa communities is to claim their territorial rights, they do not have the resources to create maps that would serve as the main document to support their demands. Instead, they have to rely on the government's maps, which were made in 2003 without considering Kichwa perspectives (Interviewee #38, July 30, 2012). Therefore, the limits of a Kichwa territory depend on the government official's point of view rather than the Kichwas knowledge about their lands. As a result, the government takes advantage of the inability of the Kichwa communities to draw their own maps, which allows the government to continue leasing the Kichwa territories to the extractive industry or to timber companies.

Additionally, government officials are telling the Kichwas that by becoming a formal native community, they will lose their individual plots of land, called *chacras*. An ex-leader explained: "When the leaders ask for the formal recognition of their communities, the government official frightens them by telling that if they want to become a native community they must give up their personal titles of their plots" (Interviewee #16, July 10, 2011).

The official recognition of native community status depends on the willingness of an inspector to verify and write a report with his recommendations about the validity of the application. This process is problematic because the recognition of native communities ultimately is determined by government officials' expectations of what "indigenous" mean. According to the Kichwa leaders, inspectors do not know enough about them to really understand their cultural practices, and because of that they deny the applications. The ex-President of CEPKA expressed indignation when the government denied the application of one Kichwa community: "the inspector cannot deprive us of being native community. It is like denying that we are alive. Even though we invited him (the inspector) to lunch and showed him

how we live, he still believed we were not an indigenous community anymore. That is why we had to fight back” (Interviewee #16, July 10, 2011).

CHALLENGE #02: THE FEDERATIONS’ ROLE

Different opinions among leaders have been raised about what should be the federations’ role. The old federations believe they should only represent groups organized as native communities (holding or seeking this legal status). The new federations want to open the representation to all the Kichwa peoples (organized in native communities, or not). When the first federation –FEPIKRESAM– started, its role was the political representation of native communities. Then, because FEPIKRESAM did not represent the majority of the Kichwas (only eight native communities), a group of leaders split from FEPIKRESAM to create CEPKA to continue encouraging Kichwa communities to gain native community status. For the ex-president of CEPKA, CEPKA’s role was to help the Kichwa communities get formal recognition even if today that title does not guarantee the legal access to their common territories (Interviewee #16, July 10, 2011). For some leaders, the recognition of native community status is a necessary first step in strengthening Kichwa federations. Representing more native communities enables the federations to become visible actors at the regional and national level. Due to the low percentage of Kichwa communities that have managed to achieve native community status, some leaders have rejected this limiting approach.

A new way of understanding the role of the federations has been to incorporate all the Kichwa grassroots organizations into the federations, regardless of whether they are registered as native communities. The President of the new federation called FEKHID explained: “the federation has to be at the forefront to fight for the interests of the majority, and sadly the native

communities just represent a small part of the Kichwa people” (Interviewee #08, July 11, 2011). In one year of operation, FEKHID has incorporated four native communities with official status, four others, one organization of bilingual teachers, and another of healthcare workers. The different strategies followed by Kichwa leaders to recruit for their federations has resulted in different approaches to get their territorial rights, which makes it more difficult for Kichwa leaders to reach political consensus.

CHALLENGE #03: COMMUNICATION BETWEEN THE FEDERATIONS & COMMUNITIES

Due to the lack of communication between the leaders of the Kichwa federations and the local Kichwa inhabitants, the latter do not always feel they are rightfully represented by the former. Despite the Kichwa leaders’ efforts to get closer to their constituencies, they do not have travel funds to make the long and expensive trips to the remote Kichwa communities (Interviewee #23, July 08, 2011, and Interviewee #16, July 10, 2011). In the case of CEPKA, the president tries very hard to build a strong relationship with the majority of the Kichwa communities, but reaching 30 native communities that are geographically so dispersed implies an investment of money and time that leaders do not have. In one of the internal meetings that I attended, the president of one federation was discouraged by the low number of participants. He was expecting at least nine leaders of native communities (*apus*), but only four could make it (Participant Observation #09, July 29, 2012). After the meeting he realized the only way to make sure these *apus* will show up is by inviting them in person: “going by boat would get me faster to these communities than walking, but I don’t have the money to pay the gas for the boat” (Interviewee #36, July 29, 2012). Despite these difficulties, some of the federations’ leaders try to have at least one meeting every year by offering the *apus* some kind of financial aid so can

travel. These leaders believe some day their organizations would have their own funds to hire a person in charge of going to each of the communities.

CHALLENGE #04: CREATION OF NEW FEDERATIONS

The Kichwa communities' strategy of seeking better political representation is to create their own federations. Both the Kichwas who used to be part of an existing federation and the ones who have never been part of a federation have stated their intentions to create their own federations. Three years ago there were only fifteen Kichwa native communities grouped in two federations, but today there are fifty-five native communities grouped into four federations, helping overcome the sense of exclusion felt by some Kichwa communities in the past. For example, the creation of FEPIKECHA happened when the leader of a native community that was part of an older federation, CEPKA, told another leader that he was tired of been ignored by CEPKA (Interviewee #36, July 29, 2012). The expansion of federations, however, also means that Kichwas are becoming more divided, which can result in internal competition rather than unification for the original goal: the legal recognition of their territories.

New federations also represent an increase in the number of Kichwa leaders, which means the need of a higher level of organizational complexity. So far, they have to be able to sit and talk with other leaders to coordinate their demands, but open dialogue and achieving consensus are not easy. This "multiplication" or "proliferation" of leaders sets the grounds for the governmental representatives to accuse the Kichwa federations of not being able to clarify their goals or of not being able to expound a clear agenda. As a consequence, each one of the Kichwa federations projects the impression of being "selfish," looking after its own interests first (Interviewee #25, January 14, 2012).

CHALLENGE #05: NEW LEADERS VERSUS OLD LEADERS

The existence of new federations with new leaders emanates from the population's dissatisfaction with older organizations. Because the educational levels are very low for most Kichwa people, they value leaders who have obtained university degrees, whereas previous leaders had little formal education whatsoever. For the young, educated Kichwas, the lack of formal education usually means that the leaders do not have the best qualifications to represent them. When FEPIKRESAM and CEPKA started, the Kichwa leaders, who were bilingual teachers, had the highest degree of education then available. Today, some young Kichwas are lawyers and engineers. They are less inclined to follow leaders with comparatively little education. As the young alderman of the Municipality of Lamas states:

These organizations need to include young people in their leadership. That would be the only way for the Kichwa peoples to have more opportunities in the future. The elderly members in charge of CEPKA do not have the best qualities to be in those political positions. They do not know how to write proposals to get more funding. Now the young people are more prepared to do the job, they know how to use the internet and how to find financial support from other agencies. (Interviewee #29, January 18, 2012)

On the other hand, an important segment of the Kichwa population believes the younger leaders do not share the knowledge of the Kichwa traditions and value the territory. Most of the time, the young generations had to leave their communities when they were six years old to study and work in the nearby urban centers; therefore, their values come from an urban lifestyle. All of the NGOs' representatives agreed that, despite the respect felt by most of the Kichwa people for these young leaders, the young leaders do not represent the majority of the Kichwas

who live in the rural areas known as *chacareros*.³⁵ The incompatibility between the ideals of the people that value formal education and the need for leaders who can value Kichwa traditional culture creates a gap between current Kichwa leaders.

The bilingual teachers' organizations are one group of actors that can cross the divide between leaders who have formal education and those who do not. The bilingual teachers' organizations are the oldest in the region, created thirty years ago to preserve the Kichwa language challenged by the Spanish educational system. Though the bilingual teachers started the process of political organization, creating the first two federations to demand rights to territory, health care, and bilingual education, they are not very popular among the indigenous communities. According to the current Kichwa leaders that are not schoolteachers, most of the people in the communities have felt discriminated by the bilingual teachers.³⁶

The lack of communication between the bilingual teachers and the federation leaders has created a gap for these two groups that prevents them from having a working relationship despite their shared goals and complementary inputs. Bilingual teachers have been relegated to their schools, and just recently some Kichwa leaders are inviting these teachers to participate in the federation's meetings. On one hand, the federations need a bilingual education system to become articulate as Kichwas. The importance of the bilingual education system to defend themselves is recognized by the *apus*. On the other hand, the bilingual teachers' organizations need the federations to have more impact in changing the national educational policies. The exclusion of the bilingual teachers from the Kichwa organizations' planning is a huge loss that the leaders have not been able to compensate.

³⁵ *Chacareros* is the common term used to talk about the Kichwa peoples who live in their plots of land (*chacras*). They are well known for their knowledge about medicinal plants and agriculture techniques.

³⁶ In the past, these teachers were unwilling to release the control of the federations, despite the *apus*' desire to have different leaders. This reluctance has left a bad memory in the current leaders' minds.

Another complicating factor is that the bilingual education system in the region is undeveloped, which in turn weakens the communities and the reputation of the bilingual teachers. Although some of the communities have elementary schools, which are part of the bilingual system, the Kichwa teaching is still incipient. At the time of my visit, the children had just one hour of Kichwa every week. Because the bilingual teachers are a small number compared to the regular teachers, they cannot compete against the education system that has no interest of teaching Kichwa. Even when the bilingual teachers work in a school that supports bilingual education, they are forced to follow the Ministry of Education's guidelines for teaching Kichwa. As the bilingual teachers expressed, the problem with following those guidelines is that the Kichwa specialists in the Ministry of Education have no clue about the Kichwa from the Amazon. For a bilingual teacher: "the specialists in bilingual education who work in Lima just know about the Kichwa from the Andes region, which is very different from our Kichwa, and because they think our Kichwa is just a dialect, they want us to change the way we teach Kichwa" (Interviewee #17, July 09, 2011). As a result, the children in the communities are not learning Kichwa literacy. When more and more Kichwas are turning to Spanish, the leaders have more problems demonstrating that they are truly Kichwas when seeking indigenous status.

CHALLENGE #06: THE INFLUENCE OF NGOs

The NGOs in San Martín have provided Kichwa organizations with money, projects, and technical and legal support. These NGOs have been able to help Kichwas through the formation of *federations*, seeking to attend a heterogeneous list of grievances related with citizenship recognition, agricultural assistance, cultural preservation, and environmental conservation. It should be noticed that the literature assumes that NGOs and indigenous organizations focus their

activities exclusively in environmental affairs. This assumption does not necessarily match reality. For domestic NGOs working in San Martín Region, as well as for the Kichwa federations, environmental claims are inseparable from political, territorial, and cultural claims.

The representative of the oldest NGO in San Martín (CAAAP) remembered all the resources needed to help the Kichwas organize themselves in a federation such as FEPIKRESAM (Interviewee #06, June 09, 2011). Still today, the federations rely solely on NGOs for funding and support, reflecting a high degree of dependency. For example, the newest federation, FEKHID, was created with the help of the NGO Urku, whose agenda it is to promote projects regarding agricultural activities. Urku provides the necessary scientific knowledge via the contracting of field engineers for the preservation of the Kichwas' land and animals. In turn, FEKHID's agenda includes becoming more competitive in agricultural marketing.

The Kichwas are convinced that the most effective way to acquire NGO resources is through organization. This constitutes an additional incentive for Kichwas to join a federation: the main goal is to obtain or defend territorial rights and this is supposed to be obtained by joining a federation strongly linked to NGOs. The director of Urku explains: "Recently CEPKA is grouping several Kichwa communities, and that seems like good news; the problem is that these communities are joining the federation because they think they will be able to get some benefit from the NGO that is working with that federation" (Interviewee #05, June 09, 2011). The increasing number of Kichwas wanting to be part of federations has generated high expectations of getting benefits from NGOs. Consequently, when NGOs fail to provide resources for all the communities, they respond by withdrawing support to the federations.

To the leaders the NGO's relationship represents an opportunity for them to secure the approval of their constituencies. The leaders who have the ability to find different sources of

funding tend to be the most popular. The leaders agreed that when the Kichwa communities feel the federations do not have NGO support, they automatically think the leaders are not working hard enough. The leaders really care about their communities' approval because there is little from stopping them from switching their allegiance to another federation.

As a matter of fact, this loss of credibility among the leaders, those who are supposed to be connected with NGOs, constitutes a factor in explaining the creation of new federations. The president of FEPIKECHA describes the way they started the newest federation: "We always had the idea of creating a federation from Chazuta district, but we got serious about it when the *apu* of the native community, Tuluntulumba, approached me with the idea of creating FEPIKECHA to get funding from NGOs" (Interviewee #36, July 29, 2012). The increasing number of new federations in the region reveals the inability of the leaders to maintain the unity within existing ones. Despite the limited resources given by NGOs, some leaders would rather create a new federation than wait for their share of the NGOs' benefits.

The belief among the Kichwas that NGOs have a lot of money to give to federations produces a conflict between the communities and their leaders due to envy. The NGOs' representatives and the Kichwa leaders agree seeing NGOs only as a source of money is quite detrimental to the functioning of federations. The relationship the Kichwa leaders have with NGOs generates two types of feelings: one is that the Kichwas think their leaders are appropriating the resources provided by NGOs, and the other is that the Kichwas think their leaders are not prepared enough to compete against other federations for those resources. As a result, the NGO's assistance may result in a sense of frustration toward Kichwa leaders. Therefore, because of competition between leaders and between federations, the unity required to seek territorial rights is compromised.

Although NGOs' main activities are related to organizational strengthening, not just providing money, Kichwa leaders have been unable to restrain themselves from seeing NGOs as economic resources as well as sources of legal advice for strengthening their federations. According to the NGOs' representatives, the federations are not ready to function independently without the NGO support. Even if NGOs would like to work with Kichwa leaders in other kinds of activities, they realize that federations still need a lot of support to strengthen their organizations. Therefore, the NGOs' main goal is first to strengthen the Kichwa federations and then move to other aspects of Kichwa development.

The Kichwas have blamed the NGOs for encouraging federation leaders to work separately instead of together. Considering the NGOs' limited resources, it is easier for each to work with just one federation than to work with all. According to NGO representatives, the NGOs cannot afford to help all the Kichwas, so they have to choose which community to support based on criteria such as the number of members, the accessibility, etc. However, for the Kichwa leaders, the NGOs' limit their client communities in order to isolate and manipulate Kichwa leaders. An ex-leader from CEPKA, describes an example of the divisiveness created by NGO Urku:

When the NGOs cannot work with a federation, because it demands transparency in the use of funds from external agencies, then the NGO looks for leaders of other communities to manipulate them and to make them create another federation. FEPIKRESAM has already lost three native communities, and CEPKA has lost two. The NGOs' interference has divided the federations. That is how FEKHID was created. (Interviewee #10, July 09, 2011)

Such a description of the NGOs, portrayed as the ones who manipulate the Kichwa leaders, is common among the Kichwa communities.

The Kichwa leaders have articulated a contradictory discourse about the role of NGOs; while NGOs have helped the Kichwas to organize themselves, the NGOs have overrepresented Kichwa organizations. Even if for Kichwa leaders a relationship with NGOs would result in more funding opportunities and thus greater popularity among their constituencies, they do not want to be too beholden to NGOs for fear of losing their autonomy. According to these leaders, NGOs are a necessary evil. As an example of this love-hate relationship with NGOs, the President of FEPIKRESAM was very pleased about how the new President of CEPKA was giving less attention to NGO demands; as a consequence, CEPKA and FEPIKRESAM were getting closer (Interviewee #12, June 13, 2011). The contradictory discourse raises the question of how the leaders can balance their relationships with NGOs so they can avoid the conflict within the Kichwas without compromising the NGOs' support.

Just as federation objectives do not perfectly coincide with NGO ones, the NGOs are subject to the international donors that support them. For instance, in San Martín CAAAP is the oldest NGO in the region founded with conservative Catholic values supported by the Catholic Church. Waman Wasi advocates for the indigenous' preservation of ancestral practices to maintain their traditional livelihood. Finally, Urku supports projects to increase the profitability of indigenous agricultural products. These different agendas divide Kichwa efforts and distract them from the ultimate goal of territorial recognition. Today, all the leaders agree that they should prioritize territorial rights, and the only way they can reach the attention of external agencies is by uniting.

Because the leaders are always attending NGO workshops and meetings, they do not have the time to work within their federations or even pass NGO training on to their constituencies. As the leaders reflected, everyday they have to meet with somebody different, looking for

funding opportunities, without having the time to unify their organizations. By attending incessant workshops in distant towns, they sacrifice time needed to work in their own plots, spend with their families, and meet with other leaders within their federation. The Kichwa leaders must reach all their affiliated communities regularly for short, medium, and long-term planning, but they do not have the time or resources to do so.

CHALLENGE #07: KICHWA REPRESENTATION IN THE REGIONAL GOVERNMENT

Recent regional government initiatives in San Martín to incorporate the representation of indigenous peoples in its agenda have raised expectations among the Kichwas seeking territorial rights. Today, the possibility of having political representation in regional government offices arouses a feeling of success among the Kichwas. For a long time the representatives of the regional and national government have denied indigenous peoples the opportunity to participate in politics. Since the Bagua protest, the inclusion of the Amazonian indigenous peoples in the governmental offices has begun. The director of CAAAP describes this process:

Six or seven years ago, we had to lobby on behalf of indigenous peoples so they could be included in some way. That has changed. Now, because indigenous peoples have asked for more participation, there are offices where they are in charge. These offices are encouraging the leaders to work on their own proposals for projects. This change has been gradual, little by little, and is the result of the work they have done over the last 15 years. (Interviewee #06, July 06, 2011)

Today, most of the main government offices in the region have incorporated one office in charge of indigenous affairs as part of the Humala government's policy of including indigenous peoples in the national agenda. For these indigenous people having a specific office for the indigenous communities is a major breakthrough (Interviewee #30, January 18, 2012). In the case of the province of Lamas, this has been possible because for the first time its Mayor with two Kichwa

aldermen have passed several laws in favor of indigenous peoples in 2011.³⁷ Some Kichwas have mistakenly assumed these new offices were going to solve the Kichwas' struggle to have legal recognition of their land. Instead, what is really happening is that the Kichwas are dividing themselves between those who work for the government, and those who do not.

The NGOs claim the government does not genuinely want to promote indigenous rights but was forced by the Bagua protest to show good will towards the indigenous organizations. In other words, the creation of new agencies of indigenous affairs and the integration of indigenous groups in governmental meetings were consequences of the political pressure felt by the government. Although the representatives of these offices are very proud to have those positions for the first time in the region's history, until these offices have the finances to operate, the officials cannot effectively work on behalf of the Kichwa people. This kind of limited political representation causes more harm than good to the Kichwa organizations that are just starting to get political influence at the regional level.

Because indigenous officials do not have enough resources, or the autonomy to employ the little support they get from external agencies, their functions are very limited. The Regional Office of Indigenous Affairs (ORDEPISAM)³⁸ is a perfect example because the regional government brags about its creation, yet the office would not function without NGO support.³⁹ Since the regional president wanted to calm the protest, he agreed to create ORDEPISAM. However, since the beginning, this office had no support from the regional government, and the only way they could function was due to an NGO's money. The head of this NGO remembered: "The Regional Government's representatives asked us for help to start this office because they

³⁷ In 2011, the Municipality of Lamas has passed eleven laws to preserve the Kichwa culture.

³⁸ ORDEPISAM stands for (Oficina Regional de Desarrollo de los Pueblos Indígenas de la Región San Martín).

³⁹ Although this NGO is different from the ones that have been supporting Kichwa federations because its work in San Martín has always been related to forest conservation. It was just after the Bagua protest, that this NGO the organization saw an opportunity to allocate money into a different cause such as ORDEPISAM.

did not have enough budget. That is why we committed to sponsor the office for one year until the office could work with its own money” (Interviewee #31, June 04, 2012). However, having an outside source of funding to start the office also meant the regional government saw no need to fund it itself. Since the regional government did not have interest in knowing how the office was functioning, “it was like the office did not exist” (Interviewee #25, January 14, 2012). Thus, for indigenous officials it has been very frustrating not having the power to do things. They always have to coordinate internally with other offices from the regional government, so each one of these offices would include the indigenous communities in their projects. Even when from time to time this indigenous office has received a budget from the regional government for a few activities, the complexity of the bureaucracy prevents it from making an effective use of these resources. As a consequence, the Kichwas feel betrayed by the inability of these indigenous offices to improve the Kichwas’ conditions.

The Kichwa officials do not know how to handle the high expectations their communities have for them. To be an official puts an indigenous leader in a very compromising position (Interviewee #25, January 14, 2012). For the Regional Government, they are the true representatives of their people. However, for indigenous peoples they represent the Regional Government. Thus, as much as the Kichwas want to participate in government, they get discouraged because they do not notice a real change that can solve their marginalized conditions.

The regional administration is not ready to work in a concerted way with indigenous offices. The belief that indigenous issues are not related to healthcare, education, and infrastructure services makes it impossible for the indigenous offices to work effectively. Other non-indigenous regional officials do not agree with the creation of an indigenous office, which

draws funds away to less worthy endeavors. The lack of will on the part of some officials to fulfill their duties towards indigenous peoples is still very common (Interviewee #26, January 14, 2012). Therefore, the government's actions to create indigenous offices without the reorganization of every office's functions do not necessarily result in substantial changes for Kichwa communities. In the end, indigenous opinion is irrelevant when the president of the regional government distributes the money however he or she sees fit (Interviewee #25, January 14, 2012), which is why indigenous offices seek NGO funding to function.

Another reason why these indigenous offices do not function as they should is because the Kichwas are still in a process of unification. If all the Kichwas united to coordinate their demands, indigenous offices would have a better direction to follow through on Kichwa priorities. Therefore, the dispersion of representation among growing Kichwa organizations makes communication, unification, and streamlining of demands more difficult (Interviewee #19, June 10, 2011). Today the president of ORDEPISAM is trying to promote the unification of Kichwa federations (Participant Observation #5, July 21, 2012). He believes that as a single Kichwa group they have more opportunities to take advantage of what the government offices have to offer, rather than as independent federations (Interviewee #33, July 20, 2012). Thus, an alliance between indigenous offices and Kichwa leaders demands federations to overcome as a whole their lack of trust of the government so they can all work together for a common agenda.

The existence of indigenous offices has led to a conflict over who represents indigenous peoples' interests, the NGOs or the indigenous government officials. For the NGOs, the government does not have genuine intentions for truly representing the Kichwa people. According to the officials, the NGOs have too much influence in the Kichwa organizations' actions and are usurping power that could be concentrated in the government offices. They

argue, in fact, that it is not in the NGOs' interest to unify the Kichwas but rather to create and control more manageable constituencies (Interviewee #29, January 18, 2012). As a result, the Kichwa organizations are caught between the regional indigenous offices and the NGOs as the two major forces that determine the Kichwas' success to achieve their territorial rights. For the Kichwa leaders, having a good relationship with the indigenous offices and NGOs while maintaining their organizations is not easy. They are in constant struggle to find a way to get the most out of the NGOs and the government without losing the organization's autonomy.

The Bagua protest generated greater international interest to fund initiatives related to indigenous peoples. The international community has given funding to both new NGOs and the new indigenous government offices, but this has only exacerbated the problem of disunity. The NGO representatives themselves speak of how after the Bagua protest, their funders required focus more on projects with indigenous organizations. With the Bagua protest the Amazonian indigenous organizations became more popular, which resulted in NGOs that never before worked in indigenous issues to reach out to the Kichwas. As a result, Kichwa leaders have competed with each other for the relative windfall in NGO funding. Even with this funding, it has not been enough to overcome the financial and temporal costs of communication with remote villages. Thus, despite the new avenues of support from the government and NGOs, many communities remain marginalized.

CHALLENGE #08: THE CREATION OF CONSERVATION AREAS

Regardless of the creation of offices run by Kichwas, the regional and the national government are still leasing the Kichwas' territories as Conservation Areas. Though the creation

of these areas for conservation is applauded, the idea behind them is to prevent the Kichwas from having access to those territories. The director of the NGO Waman Wasi, expounded:

The government has created Conservation Areas in those territories that the indigenous communities use for hunting and fishing. All these actions of the government are weakening the organizations even more. But the organizations are not going to stop claiming those territories. They will have to die once, twice, but they are going to continue fighting for those territories that have always belonged to them. (Interviewee #14, July 13, 2011)

One major consequence of the government's actions is that the San Martín region is running out of territory for the Kichwas. Under the excuse that the whole region has already been distributed in Conservation Areas to ensure a better management of the forest, all the Kichwas' lands have already been leased out. Today, for Kichwas the main threat is the case of the Conservation Area "Cordillera Escalera."

To be able to protect their territory, Kichwas have to find a way to combat the government's paternalist view regarding the care of the forest. The government commonly assumes that because the Kichwas are poor, they are a major threat to the environment. For the Kichwa leaders, the government must stop seeing them as their enemies. All the Kichwas agreed it would be better for the sake of all the inhabitants of the region if the government started to consider them as valid allies. The Kichwa leaders gave the management of Conservation Areas such as Cordillera Escalera as an example. With the creation of this Conservation Area the government is putting the Kichwas in jail for trespassing in that area. However, to the Kichwa leaders, the government has shown the inability to protect that area from being exploited by settlers because of the lack of economic resources and the knowledge needed to protect the territory. The statement of the ex-president of CEPKA reflects this concern:

The regional government, under the pretext of preserving the land, the water, and the environment, has been creating these Conservation Areas without consulting

us, saying that the Kichwas will not take care of those territories. But that is our function. We know how to take care of the territory; we do not want to destroy it, but to preserve it. The Regional Government does not have a budget and the migrants continue to occupy that land. (Interviewee #16, July 10, 2011)

The government's policies to deny the Kichwas' territorial rights have resulted in a greater rejection and distrust of the government's initiatives to create offices run by Kichwas. Even the local newspapers have acknowledged in several articles the hypocrisy of the regional president's practices towards the indigenous groups after his discourse won their support in the elections.⁴⁰

The regional government's leasing of Kichwa territories has triggered different responses from the Kichwa federations. One of the new federations, FEKHID, has started a process of claiming territory by just asking for a leasing permit. With that permit, the federation is allowed to manage the territory for a period of 40 years. Another federation, CEPKA, has been asking for joint management of the Conservation Area since that area overlaps with Kichwa territory. CEPKA wants an equal partnership with the government in the management of that area indefinitely. Overall, for the Kichwas the risk of losing access to the territories used for hunting and fishing since ancient times has caused conflicts among the federations because the leaders do not agree about what should be the most effective way to secure control over their territory.

The case of the Conservation Area Cordillera Escalera shows the government's double discourse towards the Kichwas because it supports the existence of indigenous offices, but at the same time it prevents the Kichwas from having access to their territories. In 2005, the regional government created Cordillera Escalera knowing that part of that territory belonged to the Kichwas. Because the government's illegal actions were carried out without consulting the affected indigenous populations, the Kichwa leaders sued the regional government. In accordance with national and international laws that protect indigenous ancestral lands, the

⁴⁰ *La Voz*, January 15 of 2012.

Kichwas had the right to be consulted if they wanted a Conservation Area in their territories. Recently, nine people from one of the sixteen Kichwa communities that overlap with the Cordillera Escalera were prosecuted for farming an acre of land in the Conservation Area (Interviewee #44, August 03, 2012). Meanwhile, the Kichwas believe the regional government is rejecting the participation of the Kichwa leaders in the Master Plan to facilitate the oil exploitation in Cordillera Escalera. As a result, for the first time the Kichwa federations are working together to demand participation in the elaboration of the Master Plan of Cordillera Escalera as the only way to ensure the official recognition of their territories.

The possibilities of reaching an understanding between the federations and the government have already been put in doubt by the marginalization of the Kichwa leaders in the public meetings to elaborate the Master Plan 2012-2017 of Cordillera Escalera. I participated in the last public meeting arranged to collect opinions about Cordillera Escalera's management from all the stakeholders in the region (Participant Observation #07, July 24, 2012). Although the Kichwa leaders from the four federations were not invited to this meeting, the Kichwa leaders claimed their right to be part of the management of Cordillera Escalera because those territories belong to them in the first place. Rather than address them as a united front, the regional government is trying to negotiate with each federation individually in a "divide and conquer" strategy.

The regional government's preference to incorporate the oil companies' executives instead of Kichwa leaders in the updating process of the Master Plan reaffirms the Kichwas' suspicions. The Kichwas know the government representatives have a previous commitment to the interests of the oil companies. The leasing contract acquired by Talisman Energy in partnership with Repsol YPF and Petrobras of the Lot 103 overlaps with Cordillera Escalera and

the Kichwa territory. In the interviews with Kichwa leaders, all of them expressed concern about the government's refusal to invite the Kichwas' to workshops held to discuss the elaboration of the Master Plan whereas oil company executives were. Therefore, the constant tension between the Kichwas and the government has intensified by the threat posed by the oil companies' presence.

CHALLENGE #09: ILLEGAL SETTLERS

The regional government is not able to secure Kichwa territories from settlers exploiting natural resources. The Regional Government can afford to pay just a few park rangers, who, in contrast with the Kichwas, are unfamiliar with the territory. Consequently, the Kichwa leaders are the ones who end up notifying the authorities about the illegal presence of settlers. By the time the regional government acknowledges the settlers' invasion, the settlers have already set up in the territory by felling trees and farming the land.

According to NGO representatives and Kichwa leaders, local inhabitants cannot risk waiting for the regional authorities to take actions against these settlers. Therefore, the Kichwa leaders have to gather as many people as they can to protect their territories: "We knew we had to be careful with these people (*migrantes*) because last time we told them to obey the law of the community, they did not want to. So, we took them by surprise... To protect ourselves we were a group of 100 people" (Interviewee #40, July 31, 2012). The growing number of illegal settlers in Cordillera Escalera highlights that the regional government should not be the one controlling that area. For the Kichwas, the real interest of the government is to prevent the presence of the Kichwas, not the settlers.

The illegal presence of the settlers threatens the Kichwas' main activities of small-scale agriculture (*chacras*) and hunting. Kichwa knowledge about avoiding soil erosion has made it possible for them to survive on what they harvest and hunt since time immemorial. The majority of the products that they harvest are for their own consumption, and they usually sell the rest or trade it for other goods such as cleaning appliances, school appliances, and clothes. What remains of the Kichwas' territories is under threat because of the settlers. Illegal settlers aim to profit as much as they can from the natural resources. They are not planning to stay in the area for a long time. By felling trees and growing monoculture products such as coffee and cacao, which are highly valued in the market, they damage the land. Kichwa leaders, NGOs, and government representatives agreed the illegal settlers have been causing great harm to the territory, and yet no one can control it. As a result, the illegal settlers are becoming powerful figures inside some Kichwa territories because they have more economic resources than anybody else, as well as more political influence.

CHALLENGE #10: OVERLAPPING AUTHORITIES

The overlapping number of authority figures in the Kichwa communities weakens the communities and their federations. Due to the Law of Native Communities, each of the Kichwa communities should have a single leadership system, which means the community is led by one leader called *apu*, and five men who help him with his duty in the community. However, in some situations native communities have been officially recognized after the formation of villages. These villages have another system of leadership. Local *mestizo* government positions such as Mayor (the head of the City Hall) and Governor (the local representative of the president of the national government) clash with the villages' traditional leadership systems based on *apus*.

Thanks to these overlapping systems of leadership, it is easier for the illegal settlers to stay there and encroach upon some of the territories for timber and large-scale monocrops. Once these settlers find the way to stay in these territories with their families, they participate in the elections of local authorities in exchange of more participation in the Mayor's and Governor's offices, allowing them to circumventing traditional Kichwa organization.

First a few people invade Kichwa territories that are so distant that is hard even for Kichwas to realize their invasion. Then, over the years these settlers begin to support the presence of *mestizos* in local political offices. Finally, the authorities and government offices are full of *mestizos*, many of whom are migrants or come from a migrant family. That is how Kichwas are becoming more marginalized in their own territories. (Interviewee #32, July 18, 2012)

The overlapping of authorities inside Kichwa territories is intensifying the extraction of natural resources. Despite the fact that these lands belong to the Kichwas, the settlers' improving political position makes it more difficult for Kichwas to claim their rights to these territories. In some cases, like in the Kichwa native community "Waicu," the population is divided between those who support the local government authorities such as the Mayor and the Governor, and the ones who support native community's authorities (Participant Observation, August 05, 2012). This division makes it extremely difficult for Kichwa leaders to strengthen and legitimize their authority and their organization.

CHALLENGE #11: NATIONAL POLITICAL PARTIES

The national political parties' using Kichwa leaders for election purposes cause great damage to Kichwa organizations. In election times, the national political parties employ the Kichwa leaders as an easy way to have a greater influence in these areas. Generally, the political party will call a Kichwa leader from one federation, and the opponent political party would call

the Kichwa leader from another federation. Therefore, every three years the Kichwa leaders are competing with each other for reasons that do not really concern them. As the leaders say, they have to be careful not to get “burned” during electoral campaigns. Most of the time, being involved in these political struggles damage their reputation as leaders among their peers and constituencies. Thus, the advantage taken by the political parties delegitimize the Kichwa leaders’ role, which in turn makes the Kichwas believe they cannot trust their leaders, putting in jeopardy the future of the organization.

CHALLENGE #12: NATIONAL INDIGENOUS POLITICS

The lack of coordination between the Kichwa federations and the national Amazonian federation (AIDASEP),⁴¹ directed by Alberto Pizango, who led the protest in Bagua, has resulted in little support for the Kichwas’ struggle outside the San Martín region. Although the Bagua protest brought together the majority of the Amazonian indigenous organizations from Peru, including the ones represented by AIDASEP, the participation of the Kichwas in this protest did not result in the creation of a network of indigenous organizations to rely on. The director of the NGO Urku describes this disconnect: “There is no dialogue with other ethnic groups in the region. Although there is an office responsible for that... If they get to coordinate at all, it is only about superfluous issues. There is no integration between them. Everyone seeks for their own interests” (Interviewee #05, June 09, 2011). Thus, without that network, and therefore without an organization that is able to represent the Kichwas at the national level, the national government continues to ignore the Kichwas’ situation.

⁴¹ AIDASEP (Interethnic Association for the Development of the Peruvian Rainforest).

The Kichwa federations do not see the benefits of being affiliated to AIDSESEP. Just one of the Kichwa federations is officially linked to AIDSESEP, and that affiliation has not meant an improvement for the federation. According to the leaders of FEPIKRESAM, the relationship between their federation and AIDSESEP resembles the one between a mother and a child. FEPIKRESAM respects AIDSESEP, but the Kichwa leaders do realize that the relationship causes them to lose their autonomy. Whenever FEPIKRESAM has had a funding opportunity, they first needed the approval of AIDSESEP. Then, because of the lack of resources, FEPIKRESAM has not maintained a closer relationship with AIDSESEP. As a result, the Kichwas have limited options to work together. As much as they want to, each federation follows different guidelines that isolate them from each other and prevents them from having a stronger voice.

CONCLUSIONS

In this thesis, I have examined the challenges Kichwa federations face as they work for the recognition of their territories. For the Kichwas of San Martín, gaining their land rights over a territory that has traditionally been theirs is their main motivation. To achieve that recognition, in the last ten years Kichwas have started a process of organization. Today Kichwa leaders are aware that to counter the government's leasing process of the Amazon, they need to claim the formal recognition of their territories. To that end, the Kichwas have started to get their legal status as native communities, and in turn, such communities have formed federations. Native communities rely on their federations for their political representation at the local and national level. In the San Martín region there are four Kichwa federations, which try to recruit as many Kichwa communities as possible. The more legally recognized Kichwa communities there are in the region, the more the government officials will feel compelled to include the Kichwas in their political agendas. However, this process of organization has been hindered by several obstacles.

To understand this process of organization and the obstacles that come with it was not an easy task. Fortunately, due to international attention after the Bagua protest, and the national attention because Humala's presidential campaign, Kichwa leaders were more willing than usual in 2011 to share their experiences of organization. The Kichwas considered my academic research as "favorable" to their cause. As I explained in chapter one, it surprised me how every time I went back to San Martín, the dynamics of Kichwa political representation had changed. In a time period of one year two new federations were created, and the number of Kichwa settlements that were waiting to achieve their status as native communities was increasing, too.

Conducting interviews with Kichwa leaders, NGO staff, and government representatives allowed me to understand that the political organization of Kichwas is constantly changing. This fast evolving process has resulted in new risks for Kichwa leaders such as the proliferation of competing leadership positions.

In chapter two I explored theoretical debates about the political representation of indigenous groups in the Amazon. Amazonians' aim to protect their land in a neoliberal context has driven them to employ different strategies. According to the literature, although neoliberal policies in Latin America have meant greater recognition of indigenous' peoples in the state's agenda, this recognition has not implied indigenous' rights to their territory. This holds true for the Kichwas, and as a result, Amazonians groups are being forced to found different ways to create political platforms that would allow them to continue with their struggles.

According to the literature, NGOs have played a key role supporting indigenous' claims for land rights, providing funding and alliances to support indigenous causes under the assumption that indigenous peoples are more capable to protect the environment. This literature provided me a framework to understand Kichwas' efforts to gain their land titles through the creation or strengthening of their political organizations. However the relationship between environmental NGOs and Amazonian groups implies several risks. As I have argued, too much involvement of NGOs raises the expectations about the needed resources generating political divisions among different leaders as well as generating the creation of new federations.

Additionally, the reviewed literature assumes that NGOs and indigenous organizations focus their activities exclusively in environmental affairs. As I have argued, this assumption does not necessarily match with the agendas of organizations of this area. For domestic NGOs working in San Martín Region, as well as for the Kichwa federations, environmental claims are

inseparable of political, territorial, and cultural claims. Future research should take into consideration that the four *federations* studied in this thesis are addressing a heterogeneous list of grievances related with citizenship recognition, agricultural assistance, cultural preservation, and environmental conservation.

Chapter three provides a short overview of Peruvian history as way to understand the state's complex relationship with the Amazon. With the exception of the General Juan Velasco's government, and the three first months of government of the current president Ollanta Humala, enacted laws toward the Amazon have favored land ownership by private entities and settlers. Alan García's second government disregarded Amazonian indigenous' property rights almost completely until the Bagua protest brought the situation to national attention.

The Bagua protest, coupled with the government's two-faced policies of giving away Amazonian territory to outsiders while creating indigenous offices, has transformed the political dynamics of indigenous organizations. The protest, followed by the expectations raised by the candidate Ollanta Humala, who seemed to be the candidate of the poor, has given the Kichwas the needed political boost to continue with their claims for land rights recognition.

In chapter four I discuss the challenges that Kichwa organizations have to overcome to gain their territorial rights, for example their relationships with NGOs, and the creation of areas of natural conservation by the regional government.

Kichwa leaders in various positions have played a decisive role in organizing Kichwas in native communities. However, community organization is not enough. They unite to form federations, and this requires new extra-communal leadership and funding, which today largely comes from NGOs. The challenge for emerging local leaders is to make sure that, despite their

necessary relationship with NGOs and their involvement in government offices, their agendas should not conflict with the federation's plans.

Kichwas have to deal with the government's support of land invasions while expelling the Kichwas from their ancestral territories via the creation of "natural reserves" like the Cordillera Escalera project. Indigenous groups can combine "formal" strategies, like the involvement in governmental offices in charge of indigenous affairs, and "informal" strategies like road blockages and marches of protest. For the last five years, the regional government of San Martín has created conservation areas, such as the Cordillera Escalera, while leasing territory to private companies without the consent of the Kichwa people. In the case of Cordillera Escalera project, Kichwas united to eject the settlers. Today many Kichwas are in jail for entering into this area, or are enduring long legal trials for protesting against this project.

In sum, the twelve challenges that Kichwa organizations have to overcome to gain their territorial rights, detailed in chapter four, are following:

(1) **Gaining the status of native community.** In order to gain the status of native community, these organizations have to go through a complex and arduous paperwork process under the supervision of government officials unsympathetic to indigenous identity or interests. The exhaustive process effectively discourages many Kichwas.

(2) **The federations' role.** There is no consensus among Kichwa leaders about who should be part of their constituency. Older federations restrict their membership to officially recognized native communities, whereas newer federations seek to include all Kichwa peoples, whether they are in officially recognized communities or not.

(3) **Communication between the federations & communities.** Federations lack adequate channels of communication. Because the territory is so vast, and the economic

resources are limited, the communication between federations' leaders and their constituencies is not fluid. This lack of communication affects the unity of the federations.

(4) **Creation of new federations.** The multiplication of federations can result in political and economic competition rather than unification for the overarching goal: the legal recognition of their territories. The creation of new federations represents an increase in the number of Kichwa leaders, which means higher levels of organizational complexity.

(5) **New leaders versus old leaders.** There are different models of leadership inside the federations. Older leaders are traditionally respected by local inhabitants, and closer to Kichwas devoted to traditional subsistence agriculture. Young leaders attract the young segment of the populations thanks to their higher levels of formal education. Rather than making their strengths complementary, these leaders and their constituencies often compete.

(6) **The influence of NGOs.** The alliance between federations and NGOs implies risks. The misconception that federations receive an important flow of resources from NGOs usually generates misunderstandings between the leaders and their constituencies. Political fragmentation is one possible outcome of this kind of misunderstanding. New federations are created aiming for new political opportunities and external sources of funding.

(7) **Representation in the regional government.** Leaders working in government offices for indigenous affairs are caught in between the government's interests and the agendas of the Kichwa organizations. On one hand, the government's lack of support to these offices show that it does not genuinely want to promote indigenous rights. On the other hand, some Kichwas hoped that having Kichwa representatives working from inside the government could improve their position in their quest for land rights.

(8) **The creation of conservation areas.** According to state representatives, there is not enough untitled land to grant native communities their ancestral territories. Nevertheless, the state officials are leasing out large tracks to private companies, allowing the arrival of new settlers from the Andes, and creating Conservation Areas. The case of the Conservation Area known as “Cordillera Escalera” illustrates the government’s unwillingness to protect the ancestral territories of the Kichwas.

(9) **Illegal settlers.** The increasing presence of settlers in Kichwa territories threatens their autonomy as native community. Illegal settlers have been extracting natural resources and damaging the environment.

(10) **Overlapping authorities.** There is an overlap between Kichwa leaders and non-Kichwa authorities (*municipal mayors* and *governors*) that is weakening the federations. These Kichwa authorities are constantly struggling for legitimation and recognition. Local *mestizo* government positions clash with the villages’ traditional leadership systems based on *apus*.

(11) **National political parties.** In electoral seasons, national political parties seek Kichwa votes by involving local leaders in their political machineries. These political battles, which are more economic from the Kichwas’ perspective because they involve bribes, generate a competition between Kichwa leaders, increasing political fragmentation.

(12) **National indigenous politics.** The connection of Kichwa federations with the most important national Amazonian federation, AIDSEP, has not yet translated into a stronger presence of the Kichwas from San Martin in the national political realm.

In summary, in this thesis I have explained these twelve challenges that the Kichwas have overcome in order to gain their territorial rights. As I have argued, these challenges prevent the Kichwas from becoming politically strong. By not having a united political platform, the

Kichwas are disadvantaged and thus have not been able to obtain their land rights. I conclude that a larger number of federations result in the fragmentation of the Kichwas, and thus in less chance of achieving a unified political representation. It may be, however, that the formation of federations is the first step in pan-Kichwa organization. That remains to be seen in future research.

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APPENDICES

ANNEX #1: Geographical organization of San Martín

Region	Provinces	Districts
San Martín	Lamas	LAMAS
		ALONSO DE ALVARA (Roque)
		BARRANQUITA
		CAYNARACHI (Shanusi)
		CUÑUMBUQUI
		PINTO RECODO
		RUMISAPA
		SAN ROQUE DE CUMBAZA
		SHANAO
		TABALOSOS
		ZAPATERO
	San Martín	TARAPOTO
		ALBERTO LEVEAU (Utcurarca)
		CACATACHI
		CHAZUTA
		CHIPURANA (Navarro)
		EL PORVENIR (Pelejo)
		HUMBAYOC
		JUAN GUERRA
		LA BANDA DE SHILCAYO (La Banda)
		MORALES
		PAPAPLAYA
		SAN ANTONIO
		SAUCE
		SHAPAJA
	El Dorado	SAN JOSE DE SISA
		AGUA BLANCA
		SAN MARTIN
		SANTA ROSA
		SHATOJA
	Huallaga	SAPOSOA
		ALTO SAPOSOA (Pasarraya)
		EL ESLABON
		PISCOYACU
		SACANCHE
		TINGO DE SAPOA
	Tocache	TOCACHE

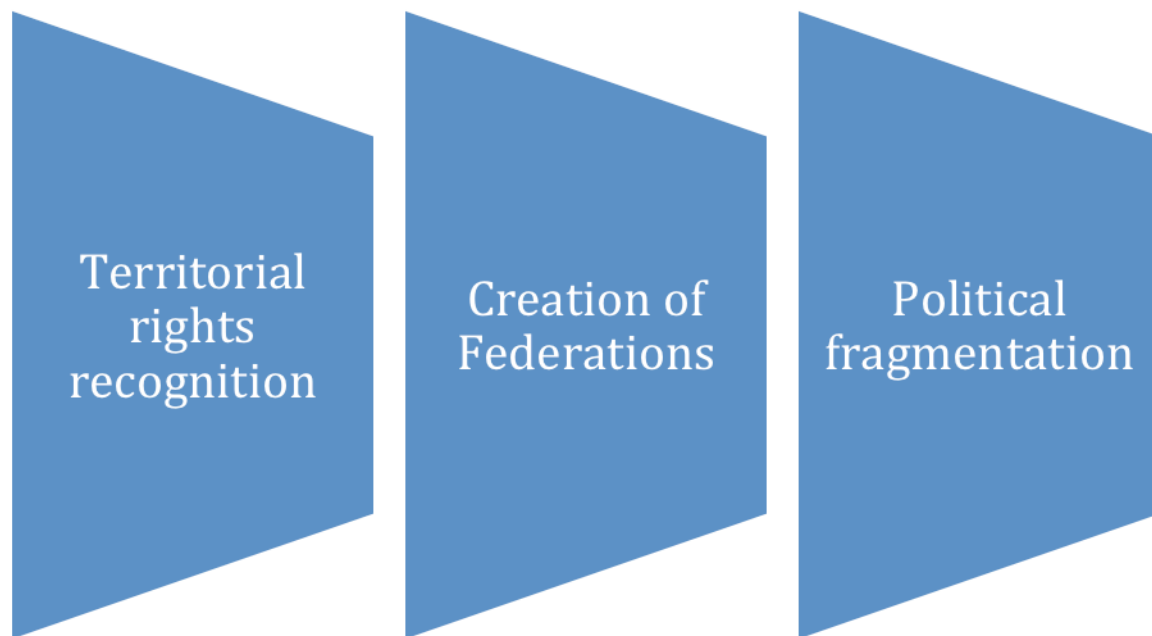
		NUEVO PROGRESO
		POLVORA
		SHUNTE (Tambo de Paja)
		UCHIZA
	Rioja	RIOJA
		AWAJUN (Bajo Naranjillo)
		ELIAS SOPLIN VARGAS (Sda. Jerusalén-Azunguillo)
		NUEVA CAJAMARCA
		PARDO MIGUEL (Naranjos)
		POSIC
		SAN FERNANDO
		YORONGOS
		YURACYACU
	Picota	PICOTA
		BUENOS AIRES
		CASPISAPA
		PILLUANA
		PUCACACA
		SAN CRISTOBAL (Puerto Rico)
		SAN HILARION (San Cristobal de Sisa)
		SHAMBOYACU
		TINGO DE PONASA
		TRES UNIDOS
	Moyobamba	MOYOBAMBA
		CALZADDA
		HABANA
		JEPELACIO
		SORITOR
		YANTALO
	Mariscal Caceres	JUANJUI
		CAMPANILLA
		HUICUNGO
		PACHIZA
		PAJARILLO
	Bellavista	BELLAVISTA
		ALTO BIAVO (Cuzco)
		BAJO BIAVO (Nueva Lima)
		HUALLAGA (Ledoy)
		SAN PABLO
		SAN RAFAEL

ANNEX #2: Kichwa organizations of San Martín

NGOs	Federations	Comunidades Nativas Kichwas	Province
CAAAP	FEPIKRESAM	Chiriyaku	Lamas
		Pampa Sacha	
		Yurilamas	
		Chumbakiwi	
		Kachipampa	
		Alto Shambuyaku	
		Vista Alegre de Sharariyak	
Waman Wasi & Sacha Mama	CEPKA	Pintu Yaku de Machu Picchu	El Dorado
		Urmana Yaku	
		Simbakiwi Yaku	
		Pawana Anak	
		Ampi Sacha de Mishki Yaku	
		Kawana Ampí Urku	
		Santa Marta	
		Yaku Kawana de San Juan	
		Tangarana	
		Heladio Tapullima	
		Puka Kaka	
		Por Venir	
		Puka Rumi	
		San Ignacio	
		Maray	
		Chambira	Picota
		Nuevo Lamas	San Martin
		El Piñal	Lamas
		Irapay Sacha	
		El Naranjal	
		Ampi Sacha de Santa Rosa	
		Shapahilla	
		Ankas Urku San Hilarion	
		Nangao	
		Churasapa	
		Mishki Yakillu	
		Solo del Rio Mayo	
		Alto Pucalpillu	
		Konkopera	
		Wayku	
		Shambuloa	

		Anak Juanjuysillu	
		Alto Churu Yaku Molosh	
		Shakapa	
		Panjuy	
Urku	FEKHID	Aviacion	El Dorado
		San Isidro	
		Shucshu Yaku	
		Chunchiwi	
		Kawana Sisa	
?	FEPKECHA	Tuluntulumba	Huallaga

ANNEX #3: Political Fragmentation



ANNEX #4: List of Interviews and participant observation

Interviews					
	Interviews	Position	Organization	Date	Place of interview
1	Interviewee #01	Vice-president		6/13/11	Tarapoto
2	Interviewee #02	APU		11/6/11	Yurilamas
3	Interviewee #03	APU		7/13/2011	Lamas
4	Interviewee #04	APU		5/7/11	Tarapoto
5	Interviewee #05	Director	NGO Urku	9/6/11	Tarapoto
6	Interviewee #06	Director	NGO CAAAP	6/7/11	Tarapoto
7	Interviewee #07	President	Mujeres organizadas	9/7/11	Kawana Sisa
8	Interviewee #08	President	FEKHID	11/7/11	Tarapoto
	Interviewee #09	APU			
	Interviewee #10	APU			
9	Interviewee #11	Director	Sacha Mama	7/13/11	Lamas
10	Interviewee #12	Asesor	CEPKA	12/7/11	Tarapoto
11	Interviewee #13		UNSM	9/6/11	Tarapoto
12	Interviewee #14	President	FEPIKRESAM	6/13/11	Tarapoto
13	Interviewee #15	Mayor		9/7/11	Kawana Sisa
14	Interviewee #16	Coordinator	NGO Waman Wasi	7/13/11	Lamas
15	Interviewee #17	APU		8/7/11	Lamas
16	Interviewee #18	President	CEPKA	10/7/11	Lamas
17	Interviewee #19	Profesora		9/7/11	Kawana Sisa
18	Interviewee #20	APU		7/14/11	Tuluntulumba
19	Interviewee #21	Promotor	NGO CAAAP	10/6/11	Tarapoto
20	Interviewee #22	Vice presidente		7/14/11	Chazuta
21	Interviewee #23	Treasurer		11/6/11	Yurilamas
22	Interviewee #24	Coordinador	NGO CAAAP	10/6/11	Tarapoto
23	Interviewee #25	Vice President	FEPIKRESAM	8/7/11	Lamas
24	Interviewee #26	Coordinator	Sangapilla	7/13/11	Lamas
25	Interviewee #27	President	ORDEPISAM	1/14/12	Tarapoto
26	Interviewee #28	Governor	Governorship of San Jose de Sisa	1/14/12	Tarapoto
27	Interviewee #29	APU		12/1/12	Lamas
28	Interviewee #30	Leutenant Governor	Governorship of San Jose de Sisa	11/1/12	Tarapoto
29	Interviewee #31	Alderman of Lamas	Municipality of Lamas	1/18/12	Lamas
30	Interviewee #32	Chair of the Office of Indigenous Affair	Office of Indigenous Affair in Lamas	1/18/12	Lamas
#	Interviewee #33	Gerente Técnico	NGO Conservacion Internacional (CI)	4/6/12	Lima
	Interviewee #34	Coordinador de Servicios Ecosistémicos			
	Interviewee #35	Coordinadora de Políticas Ambientales			
32	Interviewee #36	Legal Advisor	FERIAAM	7/18/12	Moyobamba
33	Interviewee #37	President	ORDEPISAM	7/20/12	Moyobamba

34	Interviewee #38	Director	ONG Instituto para el desarrollo de la Paz Amazonica (IDPA)	7/23/12	Tarapoto
35	Interviewee #39	Legal Advisor	FEPIKECHA	7/26/12	Tarapoto
36	Interviewee #40	President	FEPIKECHA	7/29/12	Chazuta
37	Interviewee #41	Vice-president	FEPIKRESAM	7/30/12	Lamas
38	Interviewee #42	Director Proyecto Zonificacion Ecologica Economica	Municipality of Lamas	7/30/12	Lamas
39	Interviewee #43	Director	ONG Paz y Esperanza	7/31/12	Moyobamba
40	Interviewee #44	Director	Urku	7/31/12	Tarapoto
41	Interviewee #45	Consultant	NGO Conservacion Internacional (CI)	1/8/12	Moyobamba
42	Interviewee #46	Director	Agencia Regional de Lamas	2/8/12	Lamas
43	Interviewee #47	President	FEPIKRESAM	3/8/12	Lamas
44	Interviewee #48	Legal Advisor	FEPIKRESAM	3/8/12	Lamas
45	Interviewee #49	Director	ONG Waman Wasi	7/8/12	Lamas
46	Interviewee #50	President	CEPKA	7/8/12	Lamas
Participant Observation					
1	Participant Observation #01	Kawana Sisa		7/9/11	Kawana Sisa
2	Participant Observation #02		FEPIKRESAM	6/13/11	Tarapoto
3	Participant Observation #03	Yurilamas	FEPIKRESAM Y CAAAP	6/11/11	Yurilamas
4	Participant Observation #04			1/16/12	San Jose de Sisa
5	Participant Observation #05		FEPIKECHA	7/21/12	Chazuta
6	Participant Observation #06		FEPIKRESAM, FEKHID, CEPKA, FEPIKECHA	7/23/12	Tarapoto
7	Participant Observation #07		FEPIKRESAM, FEKHID, CEPKA, FEPIKECHA	7/24/12	Tarapoto
8	Participant Observation #08	Chiriksacha	FEKHID	7/25/12	San Jose de Sisa
9	Participant Observation #09		FEPIKECHA	7/29/12	Chazuta
10	Participant Observation #10	Waicu	FEPIKRESAM, CEPKA	8/3/12	Lamas
11	Participant Observation #11	Waicu	FEPIKRESAM	8/5/12	Lamas
12	Participant Observation #12	Chirikyacu	CEPKA	8/7/12	Lamas

ANNEX #5: Chart of the different Kichwa federations in San Martín

